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IN THIS ISSUE

Agriculture, Department of
Attorney General, Office of the
Barley Commission
Beef Commission
Bellevue Community College
Bellingham Technical College
Blind, Department of Services for the
Building Code Council
Central Washington University
Centralia College
Clark College
Clover Park Technical College
Columbia Basin College
Community, Trade and Economic Development,
Department of
Convention and Trade Center
Criminal Justice Training Commission
Ecology, Department of
Edmonds Community College
Education, State Board of
Employee Combined Fund Drive, Washington State
Employment Security Department
Engineers and Land Surveyors, Board of
Registration for Professional
Escrow Commission
Executive Ethics Board
Financial Institutions, Department of
Fish and Wildlife, Department of
Forest Practices Board
Governor, Office of the
Health, Board of
Health, Department of
Higher Education Coordinating Board
Higher Education Facilities Authority
Hop Commission
Human Rights Commission
Information Services, Department of
Judicial Conduct, Commission on
Labor and Industries, Department of
Licensing, Department of
Marine Safety, Office of
Maritime Commission
Medical Assistance Administration
Natural Resources, Department of
Nursing Care Quality Assurance Commission
Olympic College
Peninsula College
Personnel Resources Board
Pierce College
Public Disclosure Commission
Public Instruction, Superintendent of
Public Works Board
Puget Sound Air Pollution Control Agency
Real Estate Commission
Revenue, Department of
Seattle Community Colleges
Social and Health Services, Department of
Southwest Air Pollution Control Authority
Spokane, Community Colleges of
Tacoma Community College
Tax Appeals, Board of
Traffic Safety Commission
Transportation Commission
Transportation Improvement Board
University of Washington
Utilities and Transportation Commission
Washington State Library
Washington State University
Western Washington University

(Subject/Agency index at back of issue)
This issue contains documents officially
filed not later than December 21, 1994

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).

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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

(Computed and filed by the State Treasurer under RCW 19.52.025)

The maximum allowable interest rate applicable for the month of January 1995 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

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.

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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.

Raymond W. Haman
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Subscription Clerk

STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following six sections:

- (a) **PREPROPOSAL**-includes the Preproposal Statement of Intent that will be used to solicit public comments on a general area of proposed rule making before the agency files a formal notice.
- (b) **PROPOSED**-includes the full text of formal proposals, continuances, supplemental notices, and withdrawals.
- (c) **PERMANENT**-includes the full text of permanently adopted rules.
- (d) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (e) **MISCELLANEOUS**-includes notice of public meetings of state agencies, rules coordinator notifications, summaries of attorney general opinions, executive orders and emergency declarations of the governor, rules of the state Supreme Court, and other miscellaneous documents filed with the code reviser's office under RCW 34.08.020 and 42.30.075.
- (f) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (g) **INDEX**-includes a combined subject matter and agency index.

Documents are arranged within each section 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 with a section's material.

2. 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 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.

3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

Material contained in the Register other than rule-making actions taken under the APA (chapter 34.05 RCW) 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.

4. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules normally take effect thirty-one 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.

5. 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].

1994 - 1995
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		
<i>For Inclusion in--</i>	<i>File no later than--</i>			<i>Count 20 days from--</i>	<i>For hearing on or after</i>
94-16	Jul 6	Jul 20	Aug 3	Aug 17	Sep 6
94-17	Jul 27	Aug 10	Aug 24	Sep 7	Sep 27
94-18	Aug 10	Aug 24	Sep 7	Sep 21	Oct 11
94-19	Aug 24	Sep 7	Sep 21	Oct 5	Oct 25
94-20	Sep 7	Sep 21	Oct 5	Oct 19	Nov 8
94-21	Sep 21	Oct 5	Oct 19	Nov 2	Nov 22
94-22	Oct 5	Oct 19	Nov 2	Nov 16	Dec 6
94-23	Oct 26	Nov 9	Nov 23	Dec 7	Dec 27
94-24	Nov 9	Nov 23	Dec 7	Dec 21	Jan 10, 1995
95-01	Nov 23	Dec 7	Dec 21, 1994	Jan 4, 1995	Jan 24
95-02	Dec 7	Dec 21, 1994	Jan 4, 1995	Jan 18	Feb 7
95-03	Dec 21, 1994	Jan 4, 1995	Jan 18	Feb 1	Feb 21
95-04	Jan 4	Jan 18	Feb 1	Feb 15	Mar 7
95-05	Jan 18	Feb 1	Feb 15	Mar 1	Mar 21
95-06	Feb 1	Feb 15	Mar 1	Mar 15	Apr 4
95-07	Feb 22	Mar 8	Mar 22	Apr 5	Apr 25
95-08	Mar 8	Mar 22	Apr 5	Apr 19	May 9
95-09	Mar 22	Apr 5	Apr 19	May 3	May 23
95-10	Apr 5	Apr 19	May 3	May 17	Jun 6
95-11	Apr 26	May 10	May 24	Jun 7	Jun 27
95-12	May 10	May 24	Jun 7	Jun 21	Jul 11
95-13	May 24	Jun 7	Jun 21	Jul 5	Jul 25
95-14	Jun 7	Jun 21	Jul 5	Jul 19	Aug 8
95-15	Jun 21	Jul 5	Jul 19	Aug 2	Aug 22
95-16	Jul 5	Jul 19	Aug 2	Aug 16	Sep 5
95-17	Jul 26	Aug 9	Aug 23	Sep 6	Sep 26
95-18	Aug 9	Aug 23	Sep 6	Sep 20	Oct 10
95-19	Aug 23	Sep 6	Sep 20	Oct 4	Oct 24
95-20	Sep 6	Sep 20	Oct 4	Oct 18	Nov 7
95-21	Sep 20	Oct 4	Oct 18	Nov 1	Nov 21
95-22	Oct 4	Oct 18	Nov 1	Nov 15	Dec 5
95-23	Oct 25	Nov 8	Nov 22	Dec 6	Dec 26
95-24	Nov 8	Nov 22	Dec 6	Dec 20	Jan 9, 1996

¹All documents are due at the code reviser's office by 12:00 noon 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.

REGULATORY FAIRNESS ACT

The Regulatory Fairness Act, chapter 19.85 RCW, was enacted in 1982 to minimize the impact of state regulations on small business. Amended in 1994, the act requires a small business economic impact analysis of proposed rules that impose more than a minor cost on twenty percent of the businesses in all industries, or ten percent of the businesses in any one industry. The Regulatory Fairness Act defines industry as businesses within a four digit SIC classification, and for the purpose of this act, small business is defined by RCW 19.85.020 as "any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, that has the purpose of making a profit, and that has fifty or fewer employees."

Small Business Economic Impact Statements (SBEIS)

A small business economic impact statement (SBEIS) must be prepared by state agencies when a proposed rule meets the above criteria. Chapter 19.85 RCW requires the Washington State Business Assistance Center (BAC) to develop guidelines for agencies to use in determining whether the impact of a rule is more than minor and to provide technical assistance to agencies in developing a SBEIS. All permanent rules adopted under the Administrative Procedure Act, chapter 34.05 RCW, must be reviewed to determine if the requirements of the Regulatory Fairness Act apply; if an SBEIS is required it must be completed before permanent rules are filed with the Office of the Code Reviser.

Mitigation

In addition to completing the economic impact analysis for proposed rules, state agencies must take reasonable, legal, and feasible steps to reduce or mitigate the impact of rules on small businesses when there is a disproportionate impact on small versus large business. State agencies are encouraged to reduce the economic impact of rules on small businesses when possible and when such steps are in keeping with the stated intent of the statute(s) being implemented by proposed rules. Since 1994, small business economic impact statements must contain a list of the mitigation steps taken, or reasonable justification for not taking steps to reduce the impact of rules on small businesses.

When is an SBEIS Required?

When:

The proposed rule has more than a minor (as defined by the BAC) economic impact on businesses in more than twenty percent of all industries or more than ten percent of any one industry.

When is an SBEIS Not Required?

When:

The rule is proposed only to comply or conform with a federal law or regulation, and the state has no discretion in how the rule is implemented;

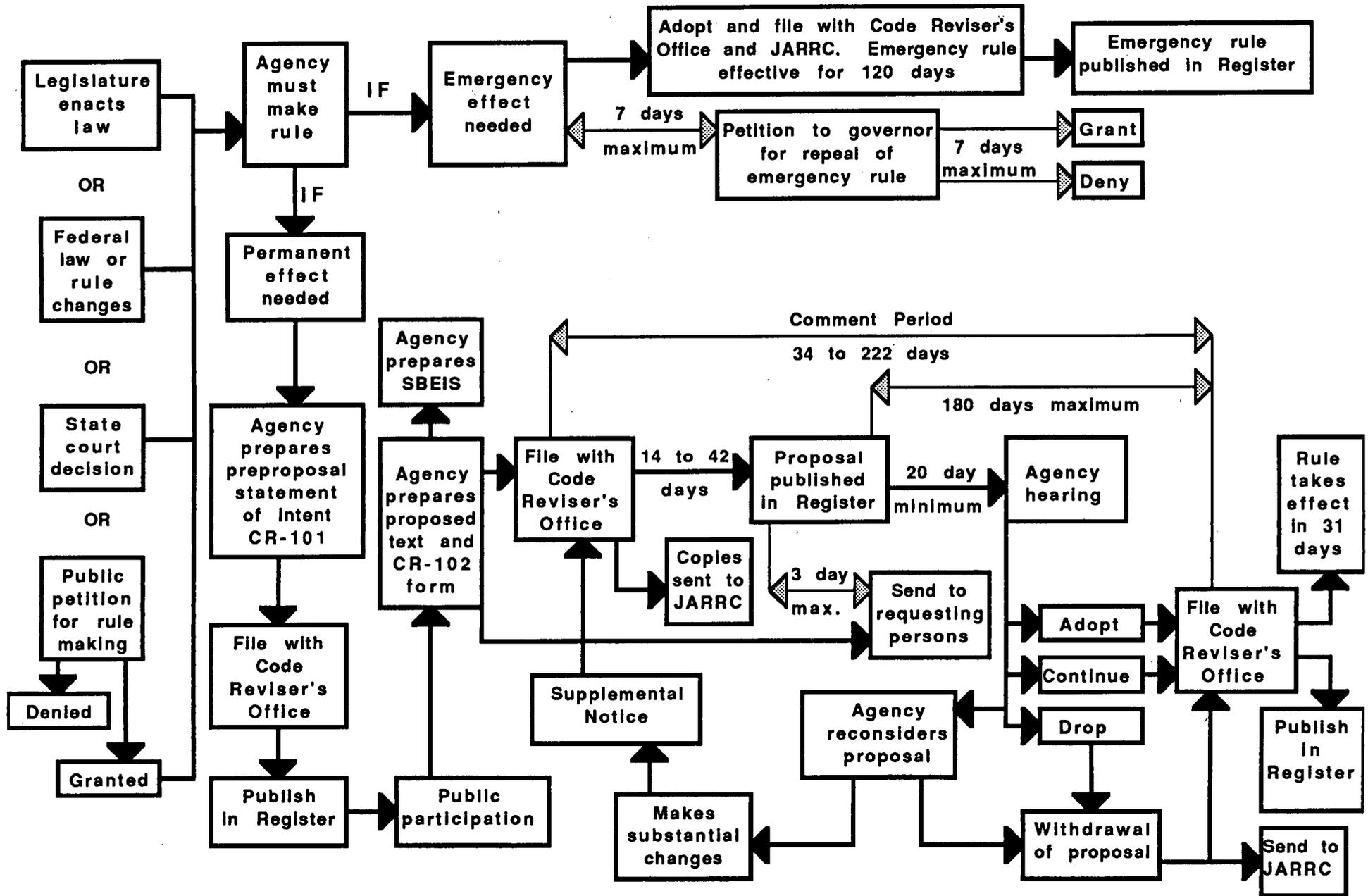
There is less than minor economic impact on business;

The rule REDUCES costs to business (although an SBEIS may be a useful tool for demonstrating this reduced impact);

The rule is adopted as an emergency rule, although an SBEIS may be required when an emergency rule is proposed for adoption as a permanent rule; or

The rule is pure restatement of state statute.

RULE-MAKING PROCESS



WSR 95-01-014**PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF AGRICULTURE**

[Filed December 8, 1994, 4:42 p.m.]

Subject of Possible Rule Making: Civil penalty matrix.
Specific Statutory Authority for New Rule: RCW 69.04.398(3) and 69.07.020.

Reasons Why the New Rule is Needed: When civil penalty action is taken by the department under RCW 69.04.880 and/or 69.07.150(2), RCW 34.05.220(4) requires an equitable process for assessing or applying those penalties.

Goals of New Rule: To provide an equitable process for applying civil penalties against those who violate chapter 69.07 RCW, Food Processing Act and chapter 69.04 RCW, Washington Food, Drug and Cosmetic Act.

Process for Developing New Rule: The Department of Agriculture is considering a rule regarding a civil penalty matrix for violators of the Food Processing Act and the Washington Food, Drug and Cosmetic Act. If you would like a copy of the draft language or would like to provide input, please contact: Mike Donovan, Food Safety Program Manager, Food Safety and Animal Health Division, P.O. Box 42560, Olympia, WA 98504-2560, (206) 902-1883, FAX (206) 902-2087.

In addition, the department has mailed out to all 1100 licensed food processors and the 500 known food storage warehouses and others known to be interested an announcement of the proposed rule. The announcement also informed the interested parties of an open meeting to discuss the proposed rule and encouraged attendance. The announcement also indicated that the draft language of the rule could be obtained from the department upon request.

The open meeting to discuss the proposed rule was held on November 8, 1994, in Olympia and representatives from the food processing and storage industry were in attendance. Questions were answered and recommendations pertaining to the proposed rule were heard. At the close of the meeting, the department asked for further comments and recommendations from those in attendance. The department asked that comments be received by December 15, 1994.

Upon review and consideration of the interested parties' comments, suggestions and recommendations, the department will draft the final proposed language and schedule the public hearing on the rule.

How Interested Parties can Participate in Formulation of the New Rule: Michael J. Donovan, Food Safety Compliance Program Manager, Washington Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone (206) 902-1883, FAX (206) 902-2087.

December 2, 1994
Michael J. Donovan
Food Safety Program Manager

WSR 95-01-018**PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF AGRICULTURE**

[Filed December 9, 1994, 1:17 p.m.]

Subject of Possible Rule Making: Application to create a Puget Sound Gillnet Salmon Commission.

Specific Statutory Authority for New Rule: Washington State Enabling Act of 1961, commodity boards, chapter 15.65 RCW.

Reasons Why the New Rule is Needed: The marketing order to create the commission will promote the general welfare of the state by enabling producers of commercially harvested Puget Sound gillnet salmon to establish orderly, fair, sound, efficient and unhampered marketing processes.

Goals of New Rule: Establish plans and conduct programs for advertising, promotion and consumer education to maintain and expand markets for Puget Sound gillnet salmon; provide for research in production, management and harvest of Puget Sound gillnet salmon; investigate and take necessary action to prevent unfair trade practices; and provide marketing information and services to affected producers.

Process for Developing New Rule: The issuance of a marketing order shall be accomplished according to the procedures set forth in chapter 15.65 RCW, Washington State Agricultural Enabling Act of 1961.

How Interested Parties can Participate in Formulation of the New Rule: Walter Swenson, Agricultural Programs Administrator, Washington Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone (206) 902-1928, FAX 902-2089. A public hearing will be set to give interested parties an opportunity to participate and comment on the proposed marketing order.

December 8, 1994
J. M. King
Deputy Director

WSR 95-01-059**PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**(Medical Assistance Administration)
(Public Assistance)

[Filed December 14, 1994, 10:35 a.m.]

Subject of Possible Rule Making: WAC 388-509-0960 Children's income standards.

Specific Statutory Authority for New Rule: RCW 74.08.090.

Reasons Why the New Rule is Needed: Comply with approved change to state plan.

Goals of New Rule: Effective January 1, 1995, for a child determined eligible for medical assistance, the department shall not consider family income changes during the certification period.

Process for Developing New Rule: Internal and external review process, the department will consider all comments.

How Interested Parties can Participate in Formulation of the New Rule: Joanie Scotson, Program Manager, P.O. Box

45530, Olympia, WA 98504-5530, phone (206) 753-7462, FAX (206) 753-7315, TDD 1-800-848-5429.

December 14, 1994
Dewey Brock, Chief
Office of Vendor Services

WSR 95-01-060
PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed December 14, 1994, 10:36 a.m.]

Subject of Possible Rule Making: Chapter 388-233 WAC, General assistance for children, this rule adds the language permanent custody in addition to legal guardianship in the GA-U program.

Specific Statutory Authority for New Rule: RCW 74.08.090, 74.12.330, WSR 93-17-029 (Order 3610, filed 8/11/93, effective 9/11/93).

Reasons Why the New Rule is Needed: The original case which initiated the action to create the GA-H program and many similar cases do not contain the term "legal guardian." This change was needed to include those and similar cases in the program.

Goals of New Rule: This change will make it easier for the CSO staff to determine program eligibility for GA-H and reduce the number of requests for exception to policy.

Process for Developing New Rule: Agency study; and representatives from the division met with representatives from the Office of the Attorney General when it appeared that several cases in the realm of "legal custody" without "legal guardianship" would pursue legal action. The informal opinion of the assistant attorney general was that we would lose any such litigation, based on the current WAC.

How Interested Parties can Participate in Formulation of the New Rule: Kay Hanvey-Smithson, Division of Income Assistance, P.O. Box 45400, Adult and Emergency Programs, Olympia, WA 98504-5400, phone non-SCAN 438-8316, SCAN 585-8316, FAX non-SCAN 438-8258, SCAN 585-8258.

December 14, 1994
Dewey Brock, Chief
Office of Vendor Services

WSR 95-01-062
PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF HEALTH
[Filed December 14, 1994, 11:09 a.m.]

Specific Statutory Authority for New Rule: RCW 18.71.017.

Reasons Why the New Rule is Needed: New statute was created that combined the Board of Medical Examiners and the Medical Disciplinary Board into the Medical Quality Assurance Commission and which requires old rules pertaining to medical licensure and disciplinary action to be reviewed, amended and repealed where necessary.

Goals of New Rule: To review, amend and repeal rules to conform to new statute. Includes chapters 246-917, 246-918, and 246-920 WAC.

Process for Developing New Rule: Mailings/meetings.
How Interested Parties can Participate in Formulation of the New Rule: Department of Health, Medical Quality Assurance Commission, P.O. Box 47866, Olympia, WA 98504-7866, (206) 753-2287, FAX (206) 586-4573. Contacts: Beverly Teeter, Angela Sarvinski, Susan Anthony, and Maryella Jansen.

November 29, 1994
Beverly A. Teeter
Program Manager

WSR 95-01-064
PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed December 14, 1994, 4:11 p.m.]

Subject of Possible Rule Making: WAC 388-250-1200 Standards of assistance—Basic requirements—Need and payment standards.

Specific Statutory Authority for New Rule: RCW 74.04.050.

Reasons Why the New Rule is Needed: The category of homeless persons was omitted in error when the chapter was rewritten. This revision will make clear that homeless persons qualify for the payment standard of households with an obligation to pay shelter.

Goals of New Rule: Clarify definition and categories to determine appropriate payment standards for public assistance recipients.

Process for Developing New Rule: Negotiated rule making.

How Interested Parties can Participate in Formulation of the New Rule: Betty Brinkman, P.O. Box 45400, Olympia, WA 98504-5400, (SCAN 585) 438-8309, FAX (SCAN 585) 438-8258. Reviewers can comment on proposed revision through the review and approval for issuance process before and at the public hearing.

December 14, 1994
Dewey Brock, Chief
Office of Vendor Services

WSR 95-01-080
PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
(Public Assistance)

[Filed December 16, 1994, 3:20 p.m.]

Subject of Possible Rule Making: WAC 388-509-0960 Children's income standards.

Specific Statutory Authority for New Rule: RCW 74.08.090.

Reasons Why the New Rule is Needed: Comply with approved change to state plan.

Goals of New Rule: Effective January 1, 1995, for a child determined eligible for medical assistance, the department shall not consider family income changes during the certification period.

Process for Developing New Rule: Internal and external review process, the department will consider all comments.

How Interested Parties can Participate in Formulation of the New Rule: Joanie Scotson, Program Manager, P.O. Box 45530, Olympia, WA 98504-5530, phone (206) 753-7462, FAX (206) 753-7315, TDD 1-800-848-5429.

December 16, 1994
Dewey Brock, Chief
Office of Vendor Services

Goals of New Rule: To allow charities that are governed by a board of directors located outside of Washington state into the combined fund drive; and to allow charities supporting or providing services to endangered species into the combined fund drive.

Process for Developing New Rule: Agency study.

How Interested Parties can Participate in Formulation of the New Rule: Randy Ryan, P.O. Box 47530, Olympia, WA 98504-7530, (206) 586-9113, FAX (206) 586-6695.

December 14, 1994
Gary Demich, Chair
Combined Fund Drive Committee

WSR 95-01-089

PREPROPOSAL STATEMENT OF INTENT DEPARTMENT OF ECOLOGY

[Order 94-45—Filed December 19, 1994, 12:35 p.m.]

Subject of Possible Rule Making: Chapter 173-06 WAC, Delegation of authority to department officials.

Specific Statutory Authority for New Rule: RCW 43.21A.090 Department of Ecology enabling legislation.

Reasons Why the New Rule is Needed: To formally delegate signature authority to appropriate individuals under the current organizational structure, the department needs to update its delegation of authority regulation, which was last amended in 1990.

Goals of New Rule: To enable the director of ecology to formally delegate his/her legal authorities (other than rule adoption, amendment, or rescission) to officials within the department.

Process for Developing New Rule: This is an internal administrative procedure.

How Interested Parties can Participate in Formulation of the New Rule: Contact Carol Jolly, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (206) 407-6988, FAX (206) 407-6989.

December 15, 1994
Terry Husseman
Deputy Director

WSR 95-01-090

PREPROPOSAL STATEMENT OF INTENT WASHINGTON STATE EMPLOYEE COMBINED FUND DRIVE

[Filed December 19, 1994, 1:24 p.m.]

Subject of Possible Rule Making: To approve public and private nonprofit organizations into the combined fund drive.

Specific Statutory Authority for New Rule: Executive Order 84-13 and WAC 240-10-010(7).

Reasons Why the New Rule is Needed: Charities providing services in Washington state may not have a local board of directors. These charities should not be excluded from participating in the combined fund drive; and charities providing services to endangered species are not approved for the combined fund drive. These charities should not be excluded.

WSR 95-01-114

PREPROPOSAL STATEMENT OF INTENT EMPLOYMENT SECURITY DEPARTMENT

[Filed December 21, 1994, 11:13 a.m.]

Subject of Possible Rule Making: Chapter 192-34 WAC, Temporary total disability.

Specific Statutory Authority for New Rule: RCW 50.12.010 Commissioner's duties and powers, 50.12.040 Rules and regulations, and 50.20.010 Benefit eligibility conditions.

Reasons Why the New Rule is Needed: The legislature amended chapter 50.06 RCW effective January 2, 1994, to provide unemployment insurance benefits to individuals who suffered a temporary total disability due to a nonwork-related injury or illness. Chapter 192-34 WAC was adopted under the pilot rule-making process to provide the department the opportunity to determine the impact of the law and regulations. Because of the small number of applications received to date, the department will extend the pilot for up to one year.

Goals of New Rule: The department is extending the pilot study period for up to one year. During that period, agency staff will attempt to increase the sample size of the study population through increased publicity and outreach to potential claimants.

Process for Developing New Rule: Pilot rule making.

How Interested Parties can Participate in Formulation of the New Rule: The Unemployment Insurance Advisory Committee has been identified as the pilot study evaluation group. Persons interested in receiving more information about the evaluation process may contact Holly Hopkins, Program Manager, Employment Security Department, Unemployment Insurance Division, P.O. Box 9046, Olympia, WA 98507-9046, phone (206) 586-8965 (effective January 15, 1995, area code is 360).

December 21, 1994
Wendy Holden
Deputy Commissioner

**WSR 95-01-115
PREPROPOSAL STATEMENT OF INTENT
EMPLOYMENT SECURITY DEPARTMENT**

[Filed December 21, 1994, 11:15 a.m.]

Subject of Possible Rule Making: Various rules within chapters 192-12, 192-16, 192-28 and 192-32 WAC, relating to unemployment compensation benefits.

Specific Statutory Authority for New Rule: RCW 50.12.010 Commissioner's duties and powers, 50.12.040 Rules and regulations, and 50.20.010 Benefit eligibility conditions.

Reasons Why the New Rule is Needed: WAC 192-12-184 and 192-12-320 are revised to correct grammatical errors. WAC 192-12-190, 192-12-340, 192-16-017, 192-16-019, 192-16-025, 192-28-110, and 192-28-120 are revised and updated to reflect current statutory language. WAC 192-16-021, 192-16-050, 192-32-001, 192-32-010, 192-32-015, 192-32-025, and 192-32-045 are revised to remove outdated references to session laws and replace with current legal citations. WAC 192-16-007, 192-28-065, and 192-28-100 are repealed as no longer needed either because they are restatements of statute or the effective dates have long passed.

Goals of New Rule: All proposed amendments are of a housekeeping nature. The goal is to delete verbatim quotes of the statute, update regulations to comply with current statutory language, correct grammatical errors, and replace session law references with statutory citations. The proposed amendments are not substantive.

Process for Developing New Rule: Proposed changes are housekeeping (nonsubstantive) only.

How Interested Parties can Participate in Formulation of the New Rule: Because amendments involve housekeeping changes only, limited public participation is anticipated. More information may be obtained from Juanita Myers, Employment Security Department, Unemployment Insurance Division, P.O. Box 9046, Olympia, WA 98507-9046, phone (206) 753-5131, FAX (206) 753-6492 (effective January 15, 1995, area code is 360). Interested persons may submit written comments to John Nemes, Rules Coordinator, Employment Security Department, P.O. Box 9046, Olympia, WA 98507-9046. Public rule-making hearings will be scheduled, dates and times will be announced and published, at which time interested persons may present comment.

December 21, 1994
Wendy Holden
Deputy Commissioner

**WSR 95-01-118
PREPROPOSAL STATEMENT OF INTENT
UTILITIES AND TRANSPORTATION
COMMISSION**

[Filed December 21, 1994, 11:20 p.m.]

Subject of Possible Rule Making: Amend WAC 480-100-251 relating to electric utility least-cost resource planning and amend chapter 480-107 WAC relating to competitive bidding for electric utility resources. Docket No. UE-940932.

Specific Statutory Authority for New Rule: RCW 80.01.040.

Preproposal

Reasons Why the New Rule is Needed: Changes occurring in the structure of the electricity industry may require these rules be changed to preserve the public interest while adopting to greater competition in the electric industry.

Goals of New Rule: To determine procedures and requirements the commission can use to protect the public interest while accommodating utility decisions and actions made necessary by a more competitive environment.

Process for Developing New Rule: Agency study (notice of inquiry) followed by workshops with regulated companies, consumer groups, environmental advocates, and other interested parties in which information and views are exchanged in an effort to reach consensus.

How Interested Parties can Participate in Formulation of the New Rule: Interested parties may contact Jeffrey Showman or Dick Byers, Washington Utilities and Transportation Commission, Office of Policy Planning and Research, P.O. Box 47250, Olympia, WA 98504-7250, phone (206) 586-1196 and (206) 753-3006, FAX (206) 586-1150. Written comments may be filed in the commission's notice of inquiry, Docket No. UE-940932, not later than February 17, 1995. Interested parties may also attend and participate in workshops to be announced by written notice to all commentors asking to receive such notice in this docket and convened by the commission during the spring and early summer of 1995. Copies of the notice of inquiry are available on request by writing to Steve McLellan, Secretary, at the address listed above. Copies of the notice of inquiry may be accessed on Internet via anonymous FTP. Connect to the host at FTP.GOV.T.WASHINGTON.EDU, cd to the directory: /wutc/noi/electric/. Get the file: ELEC-TRIC_NOI.TXT. Please note: The WUTC is NOT taking formal comments via the Internet.

December 21, 1994
Terrence Stapleton
for Steve McLellan
Secretary

**WSR 95-01-119
PREPROPOSAL STATEMENT OF INTENT
UTILITIES AND TRANSPORTATION
COMMISSION**

[Filed December 21, 1994, 11:22 a.m.]

Subject of Possible Rule Making: Amend WAC 480-80-390 Mandatory cost changes for telecommunications companies, relating to jurisdictional separations changes and mandatory accounting and tax changes. Docket No. UT-941325.

Specific Statutory Authority for New Rule: RCW 80.01.040.

Reasons Why the New Rule is Needed: To update WAC 480-80-390, as required in the current rule, to reflect current capital market conditions in the overall return or return on equity to be used in mandatory cost change pass throughs.

Goals of New Rule: To update WAC 480-80-390, as required in the current rule, to reflect current capital market conditions in the overall return or return on equity to be used in mandatory cost change pass throughs.

Process for Developing New Rule: Agency study; and the commission will consider written comments and conduct at least one workshop-type meeting with regulated companies and consumer representatives in which information and views are exchanged in an effort to reach consensus.

How Interested Parties can Participate in Formulation of the New Rule: Interested parties may contact Kathy Folsom, Washington Utilities and Transportation Commission, Telecommunications Section, P.O. Box 47250, Olympia, WA 98504-7250, phone (206) 753-6412, FAX (206) 586-1150. Written comments should be filed not later than the close of business January 11, 1995. A meeting will be held to discuss the proposed rule making with industry representatives and others wishing to attend, on January 12, 1995, at 1:30 p.m., in the Commission's Hearing Room 140 at the address listed above.

December 21, 1994
Terrence Stapleton
for Steve McLellan
Secretary

WSR 95-01-121
PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF
FINANCIAL INSTITUTIONS
[Filed December 21, 1994, 11:26 a.m.]

Subject of Possible Rule Making: Increasing the rate of charges paid by credit unions to the department and changing the asset charge assessment dates.

Specific Statutory Authority for New Rule: RCW 31.12.535 and [31.12].545.

Reasons Why the New Rule is Needed: Increase in rate of charges, in the last year, the credit union division incurred substantial unanticipated and extraordinary expenses. Some of these, such as the cost of defending the division (and former personnel) against tort claims, will continue to be incurred in the future as the litigation progresses. In order to pay for the expenses and create a reserve for the payment of litigation expenses, the division must increase its revenues by proposing an increase in the rate of charges paid by credit unions to the department.

Initiative 601 limits the ability of the division to increase the rate of its charges in a fiscal year (July 1-June 30) above the "fiscal growth factor" for the year without legislative approval. In order to raise sufficient revenue to pay for expenses and stay within the Initiative 601 limits, it will be necessary for the division to increase the rate of its charges in an amount up to the fiscal growth factor each fiscal year for the foreseeable future.

The division intends to propose the following schedule of increases in the rate of its charges based on the fiscal growth factor or estimate of it (where available):

March 31, 1995: 6.21% increase

July 1, 1995: 5.13% increase (estimate of fiscal growth factor)

July 1, 1996: 4.44% increase (estimate of fiscal growth factor)

July 1, (subsequent years): (No estimate currently available)

The director intends to terminate the scheduled increases when the expenses have been paid and adequate reserves have been established. The division intends to propose that these rule changes take effect no later than March 31, 1995.

Change in asset charge assessment and payment dates, the current asset charge assessment/payment dates, June 30/July 15 and December 31/January 15, create accounting and fiscal programs for the division because they overlap fiscal year end (June 30) and calendar year end. In order to correct the program, the division intends to propose revising these dates to March 31/April 15 and September 30/October 15. Consequently, as presently contemplated, the rule would require credit unions to pay three asset charge assessments during 1995, as follows:

December 31, 1994, assessment (at the current level), payable by January 15, 1995.

March 31, 1995, assessment (at an increased level), payable by April 15, 1995.

September 30, 1995, assessment (at an increased level), payable by October 15, 1995.

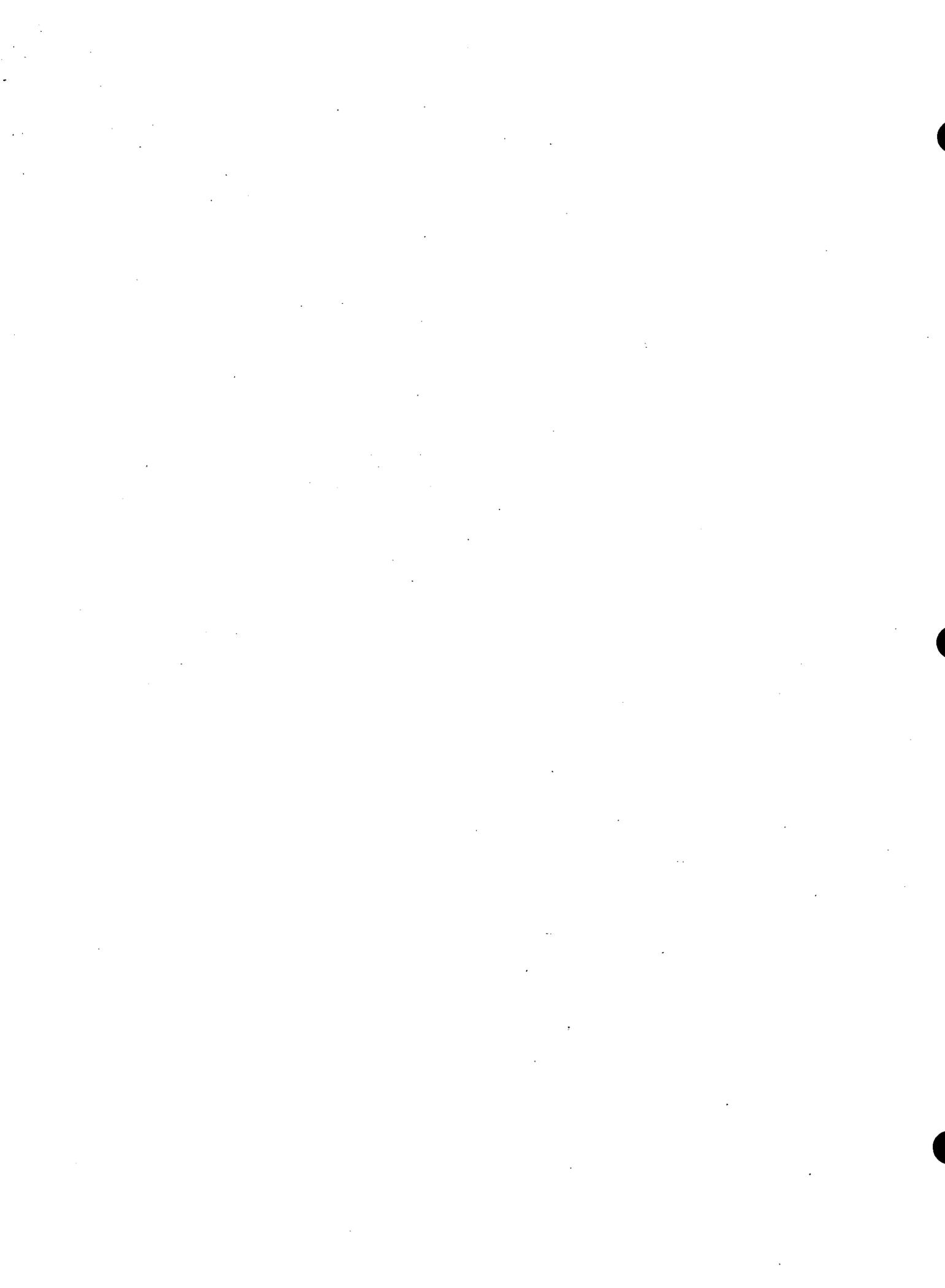
Thereafter, only two asset charge assessments will be paid per calendar year. The division intends to propose that these rule changes take effect no later than March 31, 1995.

Goals of New Rule: Revise chapter 419-18 WAC to increase the rate of charges paid by credit unions to the department; and revise WAC 419-18-040 to change the asset charge assessment dates.

Process for Developing New Rule: Agency study; and consultation with interested parties.

How Interested Parties can Participate in Formulation of the New Rule: B. Anne Pulitano, Assistant Director, Division of Credit Unions, P.O. Box 41204, Olympia, WA 98504, phone (206) 902-8701, FAX (206) 753-6070.

December 21, 1994
B. Anne Pulitano
Assistant Director



WSR 94-23-092
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Vocational Rehabilitation)
 [Filed November 17, 1994, 3:25 p.m.]

Original Notice.

Title of Rule: Chapter 490-500 WAC, Vocational rehabilitation and services for individuals with disabilities.

Purpose: This chapter is amended as required under the 1993 changes to chapter 74.29 RCW and reflects the 1992 amendments to the Rehabilitation Act of 1973.

Statutory Authority for Adoption: RCW 74.29.025.

Statute Being Implemented: RCW 74.29.025.

Summary: Most of the changes are relatively minor, but are necessary to bring the Division of Vocational Rehabilitation into compliance with the 1993 changes to chapter 74.29 RCW and the Rehabilitation Act of 1973.

Reasons Supporting Proposal: Chapter 490-500 WAC is revised as required under 1993 changes to chapter 74.29 RCW and also reflects the changes made in 1992 to the Rehabilitation Act of 1973. Minor changes are necessary to bring Division of Vocational Rehabilitation into compliance.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Vi Moody, Division of Vocational Rehabilitation, 438-8025.

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.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. The proposed rules have no economic impact on small businesses. The development and amendment of these rules do not cause a change in a fee and do not cost more for the services that this department offers a client. The client is offered job skill building opportunities and the proposed rules do not lessen services and do not cost a client financially anything more. The department is providing more services to a client by these proposed rule changes.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on January 24, 1995, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Office of Vendor Services by January 10, 1995, TDD (206) 753-4595, or SCAN 234-4595.

Submit Written Comments to: Dewey Brock, Chief, Office of Vendor Services, Mailstop 45811, Department of Social and Health Services, 14th Avenue and Franklin Street, Olympia, Washington 98504, Identify WAC Numbers, FAX (206) 586-8487, by January 17, 1995.

Date of Intended Adoption: January 25, 1995.

November 17, 1994
 Dewey Brock, Chief
 Office of Vendor Services

Chapter 490-500 WAC
VOCATIONAL REHABILITATION AND SERVICES
FOR ~~((HANDICAPPED PERSONS))~~ INDIVIDUALS
WITH DISABILITIES

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90)

WAC 490-500-005 Definitions. (1) "Accepted for services" means the division determines the following conditions are met and the division may ~~((supply vocation-
 at))~~ provide rehabilitation services to an applicant:

(a) The division has certified the applicant as eligible to receive ~~((vocational))~~ rehabilitation services; and

(b) The division has sufficient funds, personnel, facilities, and other resources to undertake and complete the rehabilitation of the ~~((individual))~~ client.

(2) "Act" means the Rehabilitation Act of 1973, including subsequent amendments ~~((under 29 U.S.C. chapter 16))~~.

(3) "Applicant" means an individual submitting ~~((a letter or))~~ an application or letter to the division requesting ~~((vocational))~~ rehabilitation services. ~~((For a letter to be an application, the applicant's letter shall contain:~~

~~((a) The signature of the individual or the individual's representative; and~~

~~((b) The name, address, age, sex, nature of disability of the requesting individual, and source of referral.~~

~~((4) "Civil employee of the federal government" means a person employed by, or serving in a civilian capacity with, the United States government who was disabled in the line of duty under CFR 361.37.~~

~~((5) "Client" means any handicapped individual:~~

~~((a) Who has applied for vocational rehabilitation services or independent living services from the division; and~~

~~((b) For whom the division has not denied or terminated services.~~

~~((6) "Comparable services" mean services or resources, other than from the division, the VRC determines are available to the applicant or client to meet the cost of any vocational rehabilitation services under CFR 361.47b.~~

~~((7) "Department" means the department of social and health services.~~

~~((8) "Director" means the director of the division of vocational rehabilitation.~~

~~((9) "Division" means the division of vocational rehabilitation of the department of social and health services.~~

~~((10) "Eligible" or "eligibility," when used in relation to an individual's qualification for vocational rehabilitation services, means a certification that:~~

~~((a) The individual has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and~~

~~((b) Vocational rehabilitation services may reasonably benefit the individual in terms of employability.~~

~~((11) "Employability" means a determination was made that the provision of vocational rehabilitation services is likely to enable an individual to enter or retain employment consistent with the individual's capacities and abilities in:~~

~~((a) The competitive labor market;~~

~~((b) The practice of a profession;~~

~~((c) Self employment;~~

~~((d) Homemaking;~~

PROPOSED

(e) Farm or family work, including work for which payment is in kind rather than in cash;

(f) Sheltered employment;

(g) Homebound employment; or

(h) Other gainful work.

(12) "Evaluation of rehabilitation potential" means, as appropriate, in each case:

(a) A preliminary diagnostic study to determine:

(i) An individual has a physical or mental disability which constitutes or results in a substantial handicap to employment;

(ii) Vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability; and

(iii) The individual is eligible for vocational rehabilitation services.

(b) A thorough diagnostic study to determine which vocational rehabilitation services may be of benefit to the individual in terms of employability consisting of:

(i) A comprehensive evaluation of pertinent factors, which bear on the individual's handicap to employment and rehabilitation potential; and

(ii) An appraisal of the individual's:

(A) Work behavior; and

(B) Ability to develop work patterns suitable for successful job performance.

(c) Any other goods or services used to determine the nature of the handicap and whether the individual may benefit from vocational rehabilitation services in terms of employability; and

(d) Providing vocational rehabilitation services to an individual for an extended evaluation period not to exceed eighteen months. The services include initiation and continuing development of an individualized, written rehabilitation plan with periodic assessment of results of providing services. The purpose is to determine whether a vocational goal is feasible for the individual.

(13) "Family member" or "member of the family" means:

(a) Any relative, by blood, adoption, or marriage, of a handicapped individual; and

(b) Other individuals residing in the same household with whom the handicapped individual has a close interpersonal relationship.

(14) "Functional capacities" in terms of employability means:

(a) Mobility;

(b) Communication;

(c) Interpersonal skills;

(d) Self care;

(e) Self direction;

(f) Work tolerance; or

(g) Work skills.

(15) "Handicapped individual" means an individual:

(a) With a physical or mental disability constituting or resulting in a substantial handicap to employment; and

(b) Expecting to benefit in terms of employability from the provision of vocational rehabilitation services, or for whom an extended evaluation of rehabilitation potential is necessary to determine whether the individual may benefit in terms of employability from the provision of vocational rehabilitation services.

(16) "Independent living services" means any goods or services provided to a severely handicapped client enabling the individual to achieve maximum family or community participation in support of a vocational rehabilitation plan.

(17) "Individual's representative" means a client selected representative who is the individual's parent, guardian, or other representative.

(18) "Initial stock and supplies" means items used, consumed, or sold in the normal process of an occupation or in the normal course of a business enterprise.

(19) "Local medical consultant" means a doctor of medicine employed under contract by the division to provide consultation to local office rehabilitation counselors concerning the medical aspects of rehabilitation, usually reviewing and discussing medical problems of individual clients.

(20) "Occupational license" means a license, permit, or other written authority required by a governmental unit as a prerequisite to entering a particular occupation.

(21) "Occupational tools and placement equipment" means tangible implements or appliances required for the efficient performance of a particular trade, business, or occupation.

(22) "On-the-job training services" means a program of organized training giving the client the opportunity to learn as an employee in an occupation under actual conditions of commercial, industrial, or other on-the-job employment.

(23) "Physical and mental restoration services" means services necessary to correct or substantially modify, within a reasonable period of time, a physical or mental condition which is stable or slowly progressive.

(24) "Physical or mental disability" means a physical or mental condition which materially limits, contributes to limiting or, if not corrected, will result in limiting an individual's activities or functions.

(25) "Public safety officer" means a person serving the United States or a state or unit of general local government, with or without compensation, in an activity pertaining to:

(a) The enforcement of the criminal laws, including highway patrol, or the maintenance of civil peace by the national guard or the armed forces;

(b) A correctional program, facility, or institution where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees;

(c) A court having criminal or juvenile delinquent jurisdiction where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees; or

(d) Firefighting, fire prevention, or emergency rescue missions.

(26) "Referral" means any individual referred to a vocational rehabilitation office by letter, telephone, direct contact, or by other means. The following minimum information shall be furnished for referral:

(a) Name and address;

(b) Disability;

(c) Age and sex;

(d) Date of referral; and

(e) Source of referral.

(27) "Rehabilitation facility" means a facility operated primarily to provide vocational rehabilitation services to

handicapped individuals, and also provide one or more of the following services:

(a) Vocational rehabilitation services under one management including:

- (i) Medical;
- (ii) Psychological;
- (iii) Social; and
- (iv) Vocational services.

(b) Testing, fitting, or training in the use of prosthetic and orthotic devices;

- (c) Prevocational conditioning or recreational therapy;
- (d) Physical and occupational therapy;
- (e) Speech and hearing therapy;
- (f) Psychological and social services;
- (g) Evaluation of rehabilitation potential;
- (h) Personal and work adjustment;
- (i) Vocational rehabilitation with a view toward career advancement in combination with other rehabilitation services;

(j) Evaluation or control of specific disabilities; and

(k) Transitional or extended employment for those handicapped individuals who cannot be readily absorbed in the competitive labor market. All medical and related health services shall be prescribed by, or under the formal supervision of, persons licensed to prescribe or supervise the provision of such services in the state.

(28) "Secretary," except when the context indicates otherwise, means the secretary of the department of social and health services.

(29) "Severely handicapped individual" means a handicapped individual:

(a) With a severe physical or mental disability which seriously limits one or more of the individual's functional capacities in terms of employability;

(b) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

(c) With one or more physical or mental disabilities resulting from:

- (i) Amputation;
- (ii) Arthritis;
- (iii) Autism;
- (iv) Blindness;
- (v) Burn injury;
- (vi) Cancer;
- (vii) Cerebral palsy;
- (viii) Cystic fibrosis;
- (ix) Deafness;
- (x) Head injury;
- (xi) Heart disease;
- (xii) Hemiplegia;
- (xiii) Hemophilia;
- (xiv) Respiratory or pulmonary dysfunction;
- (xv) Mental retardation;
- (xvi) Mental illness;
- (xvii) Multiple sclerosis;
- (xviii) Muscular dystrophy;
- (xix) Musculo-skeletal disorders;
- (xx) Neurological disorders including stroke and epilepsy;
- (xxi) Paraplegia;
- (xxii) Quadriplegia;

(xxiii) Other spinal cord conditions;

(xxiv) Sickle cell anemia;

(xxv) Specific learning disability;

(xxvi) End stage renal disease; or

(xxvii) Another disability or combination of disabilities determined to cause comparable substantial functional limitation based on an evaluation of rehabilitation potential.

(30) "Substantial handicap to employment" means a physical or mental disability which impedes an individual's occupational performance, by preventing the individual from:

(a) Obtaining;

(b) Retaining; or

(c) Preparing for employment consistent with the individual's capacities and abilities.

(31) "Vocational rehabilitation counselor (VRC)" means an employee of the division having direct responsibility for authorizing, providing, or supervising the provision of all vocational rehabilitation services to a division client.

(32) "Vocational rehabilitation services" mean services under the vocational rehabilitation plan including one or more of the following:

(a) Any goods or services provided to a client likely to enable the client to enter or retain employment in the competitive labor market consistent with the client's capacities and abilities;

(b) Any goods or services provided to a client for the purpose of extended evaluation to determine the client's rehabilitation potential;

(c) The establishment, construction, development, operation, and maintenance of rehabilitation facilities; and

(d) The provision of facilities and services which promise to contribute substantially to the rehabilitation of a group of individuals but not related directly to the rehabilitation plan.

Vocational rehabilitation is a capped categorical program; thus, services appropriate and necessary for successful vocational rehabilitation are determined on an individual case needs basis under CFR 361.42, dated January 19, 1981.

(4) "Assessment for determining eligibility and rehabilitation needs" means, to the extent needed, in each case:

(a) A review of existing data and personal information to determine eligibility and to assign priority when the state is under an order of selection;

(b) A comprehensive assessment to determine an individual's vocational goal and those services which may be necessary to help the individual achieve an employment outcome; and

(c) Any other rehabilitation services necessary to determine an individual's rehabilitation needs.

(5) "Client" means an individual with a disability:

(a) Who has applied for rehabilitation services from the division; and

(b) For whom the division has not denied or terminated services.

(6) "Client assistance program" means the program to provide assistance in informing and advising all clients and applicants of all available benefits under the Act, and to assist and advocate for such clients or applicants in their relationships with projects, programs, and facilities providing services under the Act.

(7) "Client's representative" means the client's legal guardian, parent when the client is an unemancipated minor,

or other legal representative, or a client-selected representative or advocate.

(8) "Community rehabilitation program" means an entity certified to:

- (a) Provide specific rehabilitation services to clients; and
- (b) Maximize opportunities for employment, including career advancement.

(9) "Comparable services and benefits" means services or resources available under federal, state, or local programs, other than from the division, which help the client achieve rehabilitation objectives.

(10) "Department" means the department of social and health services.

(11) "Director" means the director of the division of vocational rehabilitation.

(12) "Division" means the division of vocational rehabilitation of the department of social and health services.

(13) "Eligible" or "eligibility," when used in relation to an individual's qualification for vocational rehabilitation services, means a certification by the division that the individual:

(a) Has a physical, mental, or sensory impairment which for such individual constitutes or results in a substantial impediment to employment;

(b) Can benefit in terms of an employment outcome from vocational rehabilitation services; and

(c) Requires one or more primary vocational rehabilitation services to prepare for, enter into, engage in, or retain gainful employment.

(14) "Eligible" or "eligibility" for the independent living program means an individual with a severe physical, mental, or sensory impairment whose ability to function independently in the family or community is substantially limited and for whom the delivery of independent living services will improve the ability to function, continue functioning, or move toward functioning independently in the family or community.

(15) "Employment outcome" means, with respect to an individual, entering or retaining full-time or, if appropriate, part-time competitive employment in integrated settings or any other employment outcome designated by the rehabilitation services administration commissioner.

(16) "Family member" or "member of the family" means:

(a) Any spouse or relative, by blood, adoption, or marriage, of a client; and

(b) Other individuals residing in the same household with whom the client has a close interpersonal relationship.

(17) "Independent living program" means those services and activities authorized under Title VII of the Rehabilitation Act, as amended.

(18) "Independent living services" means goods or services provided to a client which improve the individual's ability to function, continue functioning, or move toward functioning in family or community.

(19) "Individual with a disability" means an individual who:

(a) Has a physical, mental, or sensory impairment which for such individual constitutes or results in a substantial impediment to employment; and

(b) Can benefit in terms of an employment outcome from the provision of rehabilitation services.

(20) "Individual with a severe disability" for the vocational rehabilitation program means an individual:

(a) Who has a severe physical, mental, or sensory impairment which seriously limits one or more functional capacities such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills in terms of an employment outcome;

(b) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

(c) Who has one or more physical, mental, or sensory disabilities resulting from:

- (i) Amputation;
- (ii) Arthritis;
- (iii) Autism;
- (iv) Blindness;
- (v) Burn injury;
- (vi) Cancer;
- (vii) Cerebral palsy;
- (viii) Cystic fibrosis;
- (ix) Deafness;
- (x) Head injury;
- (xi) Heart disease;
- (xii) Hemiplegia;
- (xiii) Hemophilia;
- (xiv) Respiratory or pulmonary dysfunction;
- (xv) Mental retardation;
- (xvi) Mental illness;
- (xvii) Multiple sclerosis;
- (xviii) Muscular dystrophy;
- (xix) Musculo-skeletal disorders;
- (xx) Neurological disorders (including stroke and epilepsy);

- (xxi) Paraplegia;
- (xxii) Quadriplegia;
- (xxiii) Other spinal cord conditions;
- (xxiv) Sickle cell anemia;
- (xxv) Specific learning disability;
- (xxvi) End-stage renal disease; or
- (xxvii) Other disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs to cause comparable substantial functional limitations.

(21) "Individual with a severe disability" for the independent living program means an individual:

(a) With a severe physical, mental, or sensory impairment whose ability to function independently in the family or in the community is substantially limited; and

(b) For whom the delivery of independent living services will improve the ability to function, continue functioning, or move toward functioning independently in the family or community.

(22) "Initial stock and supplies" means items used, consumed, or sold in the normal process of establishing an occupation or a business enterprise.

(23) "Occupational license" means a license, permit, or other legal authority required by a governmental unit as a prerequisite to engaging in a particular occupation.

(24) "Occupational tools, equipment, and supplies" means tangible implements or appliances required for the efficient performance of a particular trade, business, or occupation.

(25) "On-the-job training services" means a program of organized training providing the client the opportunity to learn, as an employee in an occupation, under actual conditions of commercial, industrial, or other on-the-job employment.

(26) "Physical and mental restoration services" means services necessary to correct or substantially modify, within a reasonable period of time, a physical or mental condition which is stable or slowly progressive.

(27) "Physical, mental, or sensory disability" means a physical, mental, or sensory impairment which substantially limits an individual's major life activities, such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(28) "Public safety officer" means a person serving the United States or a state or unit of local government, with or without compensation, in an activity pertaining to:

(a) The enforcement of the criminal laws, including highway patrol, or the maintenance of civil peace by the national guard or the armed forces;

(b) A correctional program, facility, or institution where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees;

(c) A court having criminal or juvenile delinquent jurisdiction where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees; or

(d) Firefighting, fire prevention, or emergency rescue missions.

(29) "Referral" means any individual referred to the division by letter, telephone, direct contact, or by other means. The following minimum information shall be furnished for referral:

(a) Name and address;

(b) Disability;

(c) Age and sex;

(d) Date of referral; and

(e) Source of referral.

(30) "Rehabilitation services" means services under a vocational rehabilitation or independent living plan. Such services are provided by a division program authorized by Title I, Title VI C., or Title VII of the Rehabilitation Act, as amended, and may include any goods or services:

(a) Necessary for a client to attain or retain employment and/or independence; or

(b) Which contribute substantially to the rehabilitation of a group of individuals with disabilities.

(31) "Secretary," except when the context indicates otherwise, means the secretary of the department of social and health services.

(32) "Substantial impediment to employment" means a physical, mental, or sensory disability which constitutes a significant barrier to an individual's occupational performance, by preventing the individual from preparing for, entering into, engaging in, or retaining gainful employment.

(33) "Vocational rehabilitation counselor (VRC)" means an employee of the division having direct responsibility for assessing, planning, authorizing, providing, or supervising the provision of all rehabilitation service to a division client.

(34) "Vocational rehabilitation program" means those services and activities authorized under Title I and Title VI C. of the Rehabilitation Act, as amended.

(35) "Vocational rehabilitation services" means services under the vocational rehabilitation plan including any goods or services necessary to prepare a client to attain an employment outcome.

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.

AMENDATORY SECTION (Amending Order 1050, filed 8/29/75)

WAC 490-500-010 Application for services. (1) Any ~~((handicapped person))~~ individual with a disability may apply for ~~((vocational))~~ rehabilitation services, including ~~((persons))~~ individuals who have previously applied for, have previously received, or have previously been denied such services.

(2) Any ~~((handicapped person))~~ individual with a disability seeking to obtain ~~((vocational))~~ rehabilitation services from the division shall ~~((submit a written application))~~ apply for services ~~((to))~~ with the division.

(3) The written application for services shall be signed by the ~~((person))~~ individual requesting services or by ~~((his parent or guardian or other))~~ the individual's representative.

(4) The ~~((written application))~~ individual applying for services shall ~~((contain))~~ provide the following information:

(a) The applicant's name and address;

(b) The nature of the applicant's disability;

(c) The applicant's age and sex;

(d) The date of application; and

(e) The name of the ~~((person))~~ individual or agency, if any, who has referred the applicant to the division.

(5) The division shall not provide ~~((vocational))~~ rehabilitation services to any person who has failed to submit a signed application ~~((in writing))~~ or letter containing the above information.

AMENDATORY SECTION (Amending Order 1050, filed 8/29/75)

WAC 490-500-015 Initial interview. (1) An applicant for ~~((vocational))~~ rehabilitation services shall be interviewed personally by a VRC or by a ~~((vocational rehabilitation))~~ division staff member ~~((under supervision of a VRC))~~ as soon as possible after application.

(2) At this initial interview, the interviewer shall:

(a) Begin to collect the following information from the applicant relative to the applicant's:

(i) Expectations;

(ii) Vocational history and characteristics; and

(iii) Other pertinent information to determine the nature of the disability, severity of the disability, eligibility for services, and to develop a rehabilitation goal and conduct service planning.

(b) Explain to the applicant the nature and operation of ~~((the vocational rehabilitation program as it relates to the applicant,~~

~~((b)))~~ division programs and services;

(c) Specifically inform the applicant of ~~((his))~~ the right to appeal ~~((from))~~ any decision made by the division with regard to ~~((his))~~ the case through administrative ~~((appeal))~~ review and fair hearing procedures~~((, and (e)))~~;

(d) Inform the applicant of ~~((his))~~ the right of confidentiality of information possessed by the division~~((;))~~ and ~~((d))~~ Obtain any general information from the applicant which might be useful in determining his eligibility for vocational rehabilitation services

(e) Inform the applicant of the services available through the client assistance program.

NEW SECTION

WAC 490-500-022 Assessment for determining eligibility and vocational rehabilitation needs. (1) The division shall conduct an assessment to determine whether the individual:

(a) Has a physical, mental, or sensory impairment which for such individual constitutes or results in a substantial impediment to employment;

(b) Can benefit in terms of an employment outcome from vocational rehabilitation services; and

(c) Requires vocational rehabilitation services to prepare for, enter into, engage in, and/or obtain gainful employment.

(2) The division shall ensure the data for the preliminary assessment includes information provided by the individual and a review of existing reports. To the extent necessary, the division may conduct additional assessments.

(3) The division shall document information and results of each applicant's assessment.

AMENDATORY SECTION (Amending Order 1050, filed 8/29/75)

WAC 490-500-025 Eligibility for services. (1) The division shall make an eligibility determination ~~((as to))~~ for every applicant for vocational rehabilitation services. The division shall make a determination of an applicant's eligibility ~~((shall be made as soon as possible after application))~~ within a reasonable period of time, not to exceed sixty days from the date of application, unless:

(a) Exceptional and unforeseen circumstances preclude the division from completing the determination within the prescribed period of time and the applicant agrees with the time extension; or

(b) The division requires an extended evaluation to determine if the applicant can benefit from vocational rehabilitation services.

(2) The division shall base its eligibility determination on the ~~((results of the preliminary diagnostic study))~~ review of existing data and personal information and, to the extent necessary, additional information gained during the preliminary assessment and an extended evaluation, if any.

AMENDATORY SECTION (Amending Order 1050, filed 8/29/75)

WAC 490-500-030 Eligibility for services—Criteria. (1) ~~((Eligibility shall be based only upon))~~ The division shall determine an individual is eligible for service if the individual:

(a) ~~((The presence of))~~ Has a physical ~~((or))~~, mental ~~((disability))~~, or sensory impairment which for ~~((the))~~ such individual constitutes or results in a substantial ~~((handicap))~~ impediment to employment; ~~((and))~~

(b) ~~((A reasonable expectation that vocational rehabilitation services may benefit the individual in terms of employability))~~ Can benefit in terms of an employment outcome from vocational rehabilitation services; and

(c) Requires one or more primary vocational rehabilitation services to prepare for, enter into, engage in, and/or retain gainful employment.

(2) The division shall determine an individual's eligibility ~~((requirements will be provided by the division))~~ without regard to sex, race, age, creed, religion, color, sexual orientation, or national origin of the individual applying for service.

(3) ~~((No person or group of persons shall be found))~~ The division shall not find an individual ineligible for services solely on the basis of type of disability.

(4) ~~((No person shall be found ineligible for services solely on the basis of age.~~

~~((No person shall be found))~~ The division shall not find an individual ineligible for services based on residence requirement, durational, or other.

AMENDATORY SECTION (Amending Order 2146, filed 8/29/84)

WAC 490-500-050 Certification for decision of eligibility or ineligibility. ~~((There will be a certification))~~

(1) The division shall only certify an individual as eligible or ineligible after:

(a) Full participation with the individual or the individual's representative; or

(b) Affording a clear opportunity for such participation.

(2) The division shall document that the individual has met the basic eligibility requirements specified in eligibility criteria as described under WAC 490-500-030. ~~((The statement of eligibility will be dated and signed by the VRC.~~

~~((Whenever it has been determined that))~~ (3) When the division determines an individual is ineligible for ~~((vocational))~~ rehabilitation services, ~~((there shall be a certification, dated and signed by the VRC. Certification of ineligibility will be made only after full participation with the individual or, as appropriate, his parent, guardian, or other representative, or after affording a clear opportunity for such consultation))~~ the division shall document the rationale for such determination.

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 2098, filed 5/2/84)

WAC 490-500-055 Notice to applicant. (1) The division shall notify each individual ~~((shall be notified))~~ in writing of the ~~((action taken on))~~ determination of the individual's eligibility or ineligibility.

(2) ~~((He shall be informed of))~~ The division shall inform each individual of:

(a) The division's procedure for administrative review and fair hearings if ~~((he is dissatisfied))~~ the individual disagrees with the division's decision; and

(b) Services available through the client assistance program.

(3) If the ~~((applicant was determined to be))~~ division determines an individual is ineligible for ~~((vocational))~~ rehabilitation services, the ~~((certification))~~ division shall specify ~~((in detail how he))~~ on the notification how the individual failed to meet the eligibility criteria ~~((of eligibility))~~.

NEW SECTION

WAC 490-500-065 Ineligibility—Review required.

(1) The division shall conduct a review at least once within twelve months when a client of the vocational rehabilitation program is:

(a) Terminated from services because the client is too severely disabled to benefit from services; or

(b) Terminated as successfully employed in sheltered employment.

(2) In the independent living program the division or service provider, if appropriate, shall conduct a review at least once within twelve months after the ineligibility determination has been made and whenever the service provider determines the applicant's status has materially changed.

(3) The division or the service provider, if appropriate, need not conduct a review in situations where the:

(a) Client has refused the review;

(b) Client is no longer present in the state; or

(c) Client's location is unknown.

AMENDATORY SECTION (Amending Order 775, filed 3/1/73.)

WAC 490-500-070 Extended evaluation. (1) "Extended evaluation ~~((is the process by which diagnostic))~~" means an additional assessment and other vocational rehabilitation services ~~((are))~~ provided to an ~~((applicant))~~ individual for the limited purpose of ~~((facilitating the determination of his rehabilitation potential and))~~ determining eligibility. ~~((Extended evaluation is provided only when a determination of eligibility has not and can not be made within the usual eligibility determination procedure))~~

(2) The division shall conduct an extended evaluation when the individual's ability to benefit from vocational rehabilitation services, in terms of an employment outcome, is questionable due to the nature and severity of the individual's disability.

(3) When an extended evaluation is required, the division shall:

(a) Document the reasons for an individual's extended evaluation; and

(b) Notify the individual of the need for an extended evaluation to determine eligibility.

(4) The division shall limit the provision of vocational rehabilitation services during an individual's extended evaluation to a total period not to exceed eighteen months from the date the division initiates the extended evaluation plan. The division shall ensure an assessment of an individual's progress occurs once every ninety-days to

ascertain whether there is enough information to make an eligibility decision.

(5) The division may provide those vocational rehabilitation services which help in accessing whether an individual can benefit from vocational rehabilitation in terms of an employment outcome. When the division obtains sufficient information to determine an individual's eligibility or ineligibility, the division shall:

(a) Make an eligibility or ineligibility decision;

(b) Discontinue extended evaluation services; and

(c) Document the eligibility or ineligibility decision and rationale for such determination.

AMENDATORY SECTION (Amending Order 1050, filed 8/29/75)

WAC 490-500-080 Extended evaluation—~~((Program))~~ Plan. (1) ~~((After certification for))~~ When an extended evaluation ~~((to determine rehabilitation potential, an individualized written rehabilitation program))~~ is required, an extended evaluation plan shall be ~~((developed))~~ jointly developed, agreed upon, and signed by the VRC and the ~~((handicapped))~~ individual~~((s))~~ or, as appropriate ~~((his parent, guardian or other))~~, the individual's representative.

(2) The division shall provide a copy of the written ~~((program))~~ plan and any amendments ~~((thereto shall be provided))~~ to the plan to the ~~((handicapped))~~ individual~~((s))~~ or, as appropriate, ~~((parent, guardian or other))~~ the individual's representative.

(3) ~~((The program shall include the basis on which a determination of eligibility has been made that an extended evaluation of rehabilitation potential is necessary.~~

(4) The program shall specify the nature of the vocational rehabilitation services necessary to determine the client rehabilitation potential and shall specify the arrangements which shall be made to provide for and/or otherwise secure such necessary services.

(5) The projected rate for the initiation of each vocational rehabilitation service, the anticipated duration of each such service, and the time within which the objectives and goals for each individual might be achieved.

(6) The terms and conditions for the provision of vocational rehabilitation services including:

(a) Responsibilities of the handicapped individual in implementing the individualized written rehabilitation program;

(b) The extent of client participation in the cost of services based on the financial need of the client, and

(c) The extent to which the individual is eligible for similar benefits under any other programs.

(7) An assurance that the handicapped individual has been informed of his rights and the means by which he may express and seek remedy for his dissatisfactions, including the opportunity for an administrative review of the division's action or fair hearings.

(8) Where appropriate, assurance that the handicapped individual has been provided a detailed explanation of the availability of the resources within a client assistance project) The division shall ensure the plan specifies the:

(a) Nature of the vocational rehabilitation services necessary to determine if the individual is capable of

benefiting from vocational rehabilitation services in terms of an employment outcome;

(b) Objective evaluation criteria; and

(c) Terms and conditions for the provision of services.

NEW SECTION

WAC 490-500-170 Criteria for order of selection.

(1) The division shall use the following categories to accept an individual for vocational rehabilitation services when the division cannot provide services or other resources to all eligible individuals with disabilities who apply for such services due to limited funds:

(a) Category One - Individuals with the most severe disabilities;

(b) Category Two - Individuals with severe disabilities;

(c) Category Three - Individuals with disabilities.

(2) When funds or other resources are not available to serve all eligible individuals within any category described under subsection (1) of this section, the division shall establish an order of selection within each category utilizing the date of application. When order of selection is in effect, the division shall assign an individual to a priority category for services when eligibility is determined.

(3) The division shall serve public safety officers whose disability was sustained while acting in the line of duty first, within the category the officer may be placed, regardless of the officer's application date.

AMENDATORY SECTION (Amending Order 1761, filed 2/3/82)

WAC 490-500-180 Economic need. (1) The division shall provide the following services regardless of the economic need of the client receiving the services:

(a) ~~((Diagnostic and related services,))~~ Assessment services for determining eligibility and rehabilitation or independent living needs;

(b) Counseling, guidance, and information and referral services provided by division staff;

(c) Placement services provided by ((DVR)) division staff((,-(d)-AH)); or

(d) Independent living services when provided by division staff.

(2) The division shall only provide a client other rehabilitation services ((of the division will be provided only)) if the client ((who is to receive the services)) is eligible for such services;

(a) On the basis of economic need as provided ((in)) under WAC 490-500-190; and

(b) Conditioned upon the availability of comparable services and benefits.

AMENDATORY SECTION (Amending Order 1050, filed 8/29/75)

WAC 490-500-185 Economic need—Financial statement required. ~~((An applicant accepted for vocational rehabilitation services or accepted for extended evaluation to determine rehabilitation potential shall be required to))~~ (1) In order to assess economic need, the client shall furnish the division with((:

~~(1) Such)) information ((in detail)) regarding ((his)) the client's financial assets, income, debts, obligations, and expenses in such detail as may be necessary to ((enable the division to make a determination of his)) determine the client's economic need((:);~~

~~(2) ((A signed statement indicating whether he is in need of financial))~~ The division shall document the client's need for assistance from the division in order to participate in ((those vocational)) rehabilitation services which are conditioned ((upon)) on the client's economic need.

(3) The client shall report to the division any change in the client's financial situation which may have a bearing on whether the division will continue to purchase services.

AMENDATORY SECTION (Amending Order 2341, filed 2/12/86)

WAC 490-500-190 Economic need—Standards for determining. (1) ~~((A client shall be eligible to receive vocational rehabilitation services or extended evaluation services from the division))~~ The division may provide rehabilitation services to a client when the client's total obligations, debts, and expenses ((equals)) equals or ((exceeds)) exceeds income ((and)), nonexempt assets, and resources. When income ((and)), nonexempt assets, and resources are greater than the value of obligations, debts, and expenses, the client shall use the excess ((is to be made available by the client)) to pay for rehabilitation services unless the service is ((exempted)) exempt by law ((and/or)) as described under WAC 490-500-180(1).

(2) The division's determination of a client's economic need involves an evaluation of the income, assets, debts, obligations, and expenses of ((his or her)) the client's entire family unit, including ((his or her)) the client's spouse, dependents or, if the client is an unemancipated minor, ((his or her)) the client's parents.

(3) The ((following)) division shall ((be considered)) consider the following as income for the purpose of determining the economic need of a client:

(a) Wages paid to the client and to any ((dependent)) family members living in the home. For purposes of this section, the division shall determine wages ((shall be)) as equal to gross wages, less deductions for:

(i) Income taxes((:);

(ii) Social Security((:);

(iii) Other taxes((:);

(iv) Retirement deductions((:); and

(v) Other involuntary deductions.

(b) Contributions from relatives or others, in cash or in kind, on a regular and predictable basis;

(c) Net profit from roomers or boarders;

(d) Net profit from property rentals;

(e) Net profit from farm products;

(f) Net profit from business enterprises;

(g) Scholarship ((or fellowship funds)), educational loans, or grants;

(h) Income from public or private welfare agencies; or

(i) Any other income received on a regular and predictable basis, including but not limited to:

(i) Alimony((:);

(ii) Child support;

(iii) Dividends from stocks((:);

- ~~(iv) Annuity payment((?));~~
- ~~(v) Unemployment compensation((?));~~
- ~~(vi) Insurance((?));~~
- ~~(vii) Pensions((,-ete)) or individual retirement accounts;~~
- ~~(viii) Trust funds.~~

(4) The division shall determine the following types of property ~~((shall be considered))~~ as exempt assets ~~((and may))~~ not to be considered in determining the client's economic need:

(a) The primary home or residence occupied by the client or ~~((his or her))~~ the client's family, including any contiguous real property. ~~((A house trailer is))~~ The division shall determine a recreational vehicle as an exempt asset when ~~((it is being))~~ the client or client's family:

(i) Regularly ~~((occupied by))~~ occupies the ~~((client or his or her family))~~ recreational vehicle as the principle place of residence; or ~~((when it will be so occupied))~~

(ii) Will occupy the recreational vehicle in the predictable future.

(b) Household furniture, clothing, life insurance, and other personal effects;

(c) An automobile when one or more of the following conditions is met:

(i) The client and ~~((his or her))~~ the client's family have only one automobile((?)); or

(ii) All automobiles used by the family are for the purpose of transportation to work or school((?)); or

~~((iii) ~~((The automobile has been furnished in whole or in part to the client or to one of his or her dependents by the Veterans' Administration, or~~~~

~~((iv))~~ The automobile is essential to the client's ~~((voca-tional))~~ rehabilitation objective.

(d) Vocational equipment and machinery owned by the client is an exempt asset if the equipment and/or machinery is ~~((being used to provide part or all of the living expenses of the client and his or her dependents or if the equipment and/or machinery may be so))~~ used:

(i) To produce income or help meet normal living requirements for the client and the client's family; or

(ii) To produce income after completion of the ~~((voca-tional))~~ rehabilitation plan((?)).

(e) Livestock ~~((is an exempt asset))~~ to the extent the livestock produces income or otherwise helps ~~((the client))~~ to meet normal living requirements.

(5) ~~((All types of))~~ The division shall determine tangible and intangible property as nonexempt and such property must be considered in determining the client's economic need. Tangible and intangible property ~~((,- including))~~ includes but is not limited to, real property, personal property, stocks, bonds, savings accounts, and checking accounts and other funds, which are not exempt under subsection (4) of this section ~~((shall constitute the client's nonexempt assets and)).~~ The division shall ~~((be considered in))~~ consider tangible and intangible property in determining the client's economic need. The value of a client's nonexempt asset shall be ~~((equal to the nonexempt assets))~~ its fair market value less any unpaid encumbrances of record.

(6) The division shall deduct the following obligations, debts, and expenses ~~((shall be deducted))~~ from the client's income and nonexempt assets in determining ~~((the client's))~~ economic need:

(a) The client's actual shelter and living expenses((?));

(b) Shelter and living expenses for the client's spouse and dependents((?));

(c) Payments ~~((which))~~ the client ~~((is required to))~~ must make under court order((?));

(d) Outstanding taxes on earnings or personal or real property((?));

(e) Insurance premium payments((?));

(f) Contractual payments on real or personal property if ~~((such obligations were))~~ the client incurred such obligations prior to the client's application for ~~((voca-tional))~~ rehabilitation services.

~~((7) When maintenance is to be paid by the division of vocational rehabilitation to a client, the maintenance paid shall be in the amount the division has determined to be necessary to maintain the client up to a maximum of the current one person payment standard as defined in WAC 388-29-100.)~~

AMENDATORY SECTION (Amending Order 1050, filed 8/29/75)

WAC 490-500-200 Economic need—Notification of decision. When ~~((it is determined that))~~ the division determines a client ~~((shall be required to))~~ shall contribute financially to ~~((his))~~ the client's rehabilitation, the division and the client shall ~~((explain to him))~~ mutually agree upon when, how, and for what services ~~((his))~~ the client's funds will be used. The VRC and the client shall document the client contributions in the rehabilitation plan.

NEW SECTION

WAC 490-500-205 Comprehensive assessment. (1) The division shall conduct a comprehensive assessment of the unique strengths, resources, priorities, interests, and needs of the client, including the need for supported employment. The division shall use information from the comprehensive assessment to determine the client's goals, objectives, nature, and scope of vocational rehabilitation services to be included in the client's written rehabilitation plan.

(2) To the degree necessary, the division may include these assessment components:

- (a) Vocational aptitude and interests;
- (b) Work history;
- (c) Work assessment;
- (d) Employment opportunities;
- (e) Assistive technology needs;
- (f) Interpersonal and social skills;
- (g) Education history;
- (h) Cultural issues;
- (i) Environmental issues;
- (j) Recreational interests;
- (k) Medical, psychiatric, and psychological information;

and

- (l) Independent living needs.

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90)

WAC 490-500-257 Individualized, written rehabilitation plan. (1) When a determination of eligibility for vocational rehabilitation services has been made and before providing services, the division and the client shall ~~((initiate~~

~~and continuously)) jointly develop and agree on an individualized written rehabilitation plan ((for each client)).~~

~~(2) The division and the client shall design the individualized written rehabilitation plan to achieve an employment outcome mutually agreed upon by the client and the division, consistent with the client's unique strengths, resources, priorities, concerns, abilities, and capabilities.~~

~~(3) The division and the client shall mutually agree on the long-range employment goal established for the client and the intermediate rehabilitation objectives related to the attainment of the goal. The division and client shall consider the following factors:~~

~~(a) Medical restoration and/or rehabilitation assistive technology enabling the client to return to previous employment;~~

~~(b) Job restructuring enabling the client to return to employment similar to the type previously held;~~

~~(c) Transferable skills enabling the client to return to suitable employment; or~~

~~(d) Training necessary to obtain current marketable job skills consistent with the client's strengths and capacities and related to employment available in the current labor market.~~

~~(4) The division and the client shall mutually agree on the specific vocational rehabilitation services necessary to achieve:~~

~~(a) The employment goal; and~~

~~(b) The specific and measurable intermediate objectives.~~

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90)

WAC 490-500-260 Individualized, written rehabilitation plan—Content. (1) When developing an individualized written rehabilitation plan, the division shall place primary emphasis on the determination of a client's vocational goal and achievement of ~~((a vocational goal))~~ an employment outcome.

(2) The division shall ensure the plan ~~((shall include))~~ includes, but is not ~~((be))~~ limited to, appropriate statements concerning the following:

~~((1))~~ The basis on which the determination of eligibility has been made;

~~((2))~~ The long-range employment goals established for the individual and the intermediate rehabilitation objectives related to the attainment of the goals, for which the division utilizes a prioritization of services, are as follows:

~~((a))~~ Medical restoration enabling the client to return to previous employment;

~~((b))~~ Job restructuring enabling the client to return to employment similar to the type previously held;

~~((c))~~ Utilizing transferable skills placing the client in suitable employment; or

~~((d))~~ Retraining necessary to obtain current marketable job skills within the client's limitations for employment available in the current labor market.

~~((3))~~ The determination of the specific vocational rehabilitation services provided to achieve established employment goals and the terms and conditions for the provision of the services;

~~((4))~~ The projected rate for the initiation of each))

(a) The vocational rehabilitation services to be provided, the service providers, the cost of the services, the anticipated

duration of each service, and the time within which the goal and the objectives ((and goals for each individual might)) for the client are scheduled to be achieved, including periodic progress reviews;

~~((5))~~ The views of the handicapped individual, or the individual's representative, concerning the individual's goals and objectives and the vocational rehabilitation services provided;

~~((6))~~ (b) A written statement by the client or the client's representative describing:

(i) How the client was informed about and involved in choosing among alternative goals, objectives, services, entities providing such services; and

(ii) Methods used to provide or procure such services.

(c) The terms and conditions for the provision of vocational rehabilitation services ((including)) and the client's responsibilities ((of the handicapped individual client)) in implementing the individualized written rehabilitation plan. These terms and conditions and responsibilities include, but are not limited to:

~~((a))~~ (i) The extent of ((client)) the client's participation in the cost of services based on the ((financial)) economic need of the client((-and));

~~((b))~~ (ii) The extent to which the ((individual)) client is eligible for and shall use comparable services and benefits under other programs; and

(iii) Objective criteria, an evaluation procedure, and a schedule for determining achievement of the goal and objectives.

~~((7))~~ (d) An assurance the ((handicapped individual)) client is informed of the:

~~((a))~~ (i) ((Individual's)) Client's rights;

~~((b))~~ (ii) Means by which the ((individual)) client may express dissatisfactions; and

~~((c))~~ (iii) Means by which the ((individual)) client may seek remedy for dissatisfactions, including the opportunity for:

~~((i))~~ (A) Client assistance program services; and

~~((ii))~~ (B) An administrative review ((of action)); or

~~((iii))~~ (C) A fair hearing.

~~((8))~~ (e) Assurance the ((handicapped individual)) client is provided a detailed explanation of the availability of the resources within ((a)) the client assistance program;

~~((9))~~ The basis on which the individual shall be determined to be rehabilitated;)) and

~~((10))~~ (f) Plans for the ((provision of)) assessment of the expected need for post-employment services after ((a suitable)) an employment ((objective)) outcome is achieved ((and the basis on which the plans are developed when required)).

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90)

WAC 490-500-270 Individualized, written rehabilitation plan—Participation ((of client)). (1) The VRC and the ~~((handicapped individual or the individual's))~~ client or the client's representative shall jointly develop, mutually agree on, and sign the individualized, written rehabilitation plan.

(2) The division shall provide the ~~((individual or the individual's))~~ client or the client's representative a copy of the written rehabilitation plan and subsequent amendments.

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90)

WAC 490-500-275 Individualized, written rehabilitation plan—Annual review. (1) The division shall, with the client or the client's representative, assess progress and review the goal, objectives, and services for appropriateness ~~((with the individual or the individual's representative))~~ of the individualized, written rehabilitation plan:

- (a) On an annual basis; or
- (b) As often as necessary.

(2) At the time of review, the ~~((handicapped individual))~~ client or the ((individual's)) client's representative shall be involved in the review and, if necessary, jointly redevelop the ~~((terms))~~ plan. The division shall ensure the client's amended plan does not take effect until agreed to and signed by the client or the client's representative.

AMENDATORY SECTION (Amending Order 1050, filed 8/29/75; Order 775, filed 3/1/73)

WAC 490-500-300 ((Objective of)) Vocational rehabilitation —Employment outcome. (1) The ~~((objective))~~ division shall ensure the purpose of vocational rehabilitation services is to enable ~~((an individual))~~ a client to prepare for, enter into, engage in, or retain gainful employment consistent with ~~((his))~~ the client's capacities and abilities in the competitive labor market, the practice of a profession, self-employment, home-making, farm or family work (including work for which payment is in kind rather than in cash); sheltered employment; ~~((homebound))~~ home-based employment; or other gainful work((s)).

(2) The division shall limit vocational rehabilitation services ((will be limited)) to the amount necessary ((in the individual case to fit the client for his vocational objective not only for the moment, but have suitable continuing employment in varying economic conditions)) for the client to attain an employment outcome by entering or retaining full-time or, if appropriate, part-time competitive employment in the integrated labor market.

AMENDATORY SECTION (Amending Order 1050, filed 8/29/75)

WAC 490-500-325 Comparable services and benefits available from other agencies. (1) The division ~~((of vocational rehabilitation funds))~~ shall not ~~((be expended))~~ expend funds to purchase services for which a client is eligible and is receiving or about to receive such services from another agency which has primary responsibility for providing the needed service. ((In all cases,))

(2) The division shall give full consideration ((will be given)) to any ((similar)) comparable services and benefits available from any other program to ((a handicapped individual on any other program)) a client unless:

(a) Services would be delayed to a client at extreme medical risk; or

(b) The client's immediate job placement would be lost due to a delay in the provision of such comparable services and benefits.

(3) The provision of rehabilitation services shall be conditioned on the economic need of the client and the availability of comparable services and benefits.

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90)

WAC 490-500-350 Vocational rehabilitation services. The division shall only provide rehabilitation services when pre-authorized by the VRC~~((The division shall provide a thorough diagnostic study to determine rehabilitation services))~~ and necessary to ~~((attain))~~ achieve the client's rehabilitation ((objective)) outcome. Rehabilitation services ~~((may))~~ include, but are not limited to:

(1) ~~((Evaluation of rehabilitation potential))~~ Assessments;

(2) Counseling ((and)), guidance, and work-related placement services;

(3) Physical and mental restoration services;

(4) Vocational and other training services, including personal and vocational adjustment, books, tools, and other training materials;

(5) ~~((Maintenance))~~ Additional living expenses incurred while participating in rehabilitation;

(6) Transportation in connection with the rendering of any rehabilitation service;

(7) Services to the ((client's family members when the services)) family of the client as are necessary ((for the client's)) to the client's adjustment or rehabilitation;

(8) Interpreter services for ((the)) a client who is deaf, hard of hearing, or deaf-blind while the client is receiving rehabilitation services; reader services for a client who is blind or visually impaired while the client is receiving rehabilitation services;

(9) ~~((Reader services,))~~ Rehabilitation teaching services, and orientation and mobility services for ((the)) a client who is blind, or deaf-blind;

(10) Telecommunications, sensory, and other technological aids and devices;

(11) Rehabilitation assistive technology services;

(12) Information and referral services;

(13) Recruitment and training services ((providing)) to provide new employment opportunities in rehabilitation and other appropriate public service employment;

~~((12))~~ Placement in suitable employment;

~~((13))~~ Post-employment services, necessary to assist the client in maintaining suitable employment;))

(14) Occupational licenses, tools, equipment, initial stocks, and supplies; ((and))

(15) Transition services;

(16) Supported employment services;

(17) Independent living services;

(18) On-the-job or other related personal assistance services provided while a client is receiving vocational rehabilitation services;

(19) Post-employment services necessary to assist the client to maintain or regain employment; and

(20) Other goods and services ((which in the opinion of the VRC benefit the client's employability)).

Subsections (5), (6), (7), (8), and (18) of this section are support services and the division shall only provide these services in conjunction with one or more primary vocational rehabilitation services. All other services listed within this section are primary vocational rehabilitation services.

AMENDATORY SECTION (Amending Order 1050, filed 8/29/75)

WAC 490-500-380 Vocational rehabilitation services—Counseling ~~(and)~~, guidance, and work-related placement services. (1) The division shall provide counseling and guidance ~~(shall be provided by the division)~~ when necessary to assist:

(a) ~~(Assist)~~ The client to understand ~~(his capacities, aptitudes, and)~~ the client's unique strengths, resources, priorities, interests, and rehabilitation needs;

(b) ~~(Assist)~~ The client to ~~(understand his limitations and the)~~ address personal issues, such as health ~~(problems)~~, inter-personal ~~(problems)~~, and social ~~(problems)~~ issues which may be encountered during the course of ~~(and after completion of)~~ the rehabilitation process~~(:);~~;

(c) ~~(Assist)~~ The client to ~~(select a suitable and realistic vocational goal,)~~ determine the goal and intermediate objectives;

(d) ~~(Assist)~~ The client to understand:

(i) The nature and scope of services available ~~(to him)~~ from the division and other community resources; and ~~(to understand)~~

(ii) How such resources can best be obtained and utilized in ~~(his)~~ the rehabilitation process~~(:);~~

(e) ~~(Assist)~~ The client to ~~(adjust to)~~ address situations encountered during the rehabilitation process, ~~(e.g.-)~~ such as, control of anxieties ~~(concerning physical restoration)~~, development of appropriate study and work habits, improvement of personal appearance, management of finances, preparation for job interviews and tests, and establishment and maintenance of effective inter~~(-)~~personal relationships~~(:);~~;

(f) ~~(Counsel and assist)~~ Family members, relatives, and friends of the client ~~(to aid and)~~ who may assist in the rehabilitation process~~(:);~~;

(g) ~~(Counsel with prospective)~~ Employers to ~~(determine whether the individual has chosen a feasible and appropriate)~~ enable a client to achieve the client's vocational goal.

(2) The division may provide a client work-related placement services, including job search assistance, placement assistance, job retention services, personal assistance services, follow-up, follow-along, and specific post-employment services necessary to assist the client to maintain, regain, or advance in employment.

(3) Counseling ~~(and)~~, guidance, and work-related placement services shall be provided without regard to economic need, and comparable services and benefits.

AMENDATORY SECTION (Amending Order 2193, filed 1/17/85)

WAC 490-500-385 Vocational rehabilitation services—Physical and mental restoration. (1) The division may provide a client physical and mental restoration ~~(shall be provided to a client)~~ to the extent necessary to

achieve ~~(his)~~ the vocational rehabilitation ~~(objective)~~ goal provided that:

(a) ~~The ~~(clinical status of his)~~ client's disabling condition is stable or slowly progressive~~(:);~~ and ~~(provided that)~~~~

(b) ~~Physical and mental restoration services ~~(may be expected to)~~ eliminate or substantially reduce the ~~(handicapping)~~ client's disabling condition within a reasonable period of time.~~

(2) ~~(Physical and mental restoration services shall be provided to a client accepted for extended evaluation to the extent necessary to complete the evaluation, regardless of whether his condition is stable or slowly progressive.~~

(3) ~~The division may provide the following physical and mental restoration services ~~(shall include all medical and related services exclusive of organ transplantation and experimental procedures by means of which a physical, mental, or emotional disability may be rendered less incapacitating)~~ to render an impairment less disabling, such as:~~

(a) ~~Medical treatment including but not limited to therapeutic programs under medical supervision, necessary laboratory work, and necessary medication~~(:);~~~~

(b) ~~(Surgical) Corrective surgery and necessary therapeutic treatment~~(: surgery for cardiac or gynecological conditions shall be provided)~~, only if approved by the regional medical consultant~~(:);~~~~

(c) ~~Psychiatric treatment only when ~~(the diagnostic study)~~ an assessment clearly indicates a favorable prognosis for a client's relatively short-term therapy. A client's program of psychiatric treatment ~~(which will extend)~~ extending beyond twelve months ~~(must have the prior approval of)~~ shall only be provided if approved by the regional medical consultant~~(:);~~~~

(d) ~~Dental treatment only when ~~(it will significantly increase employability or remove an established vocational handicap)~~ the client's treatment is directly related to an employment outcome, or in emergency situations involving pain, acute infections, or injury~~(- Examples of disabling dental conditions for which restorative services may be authorized include widespread ulceration of teeth, destruction of tooth structures, decay which seriously affects the individual's ability to eat, badly malformed or positioned teeth, or rejection of the individual from employment on the basis of his appearance. Restorative dental services will not be provided when the restoration will not directly affect employability)~~;~~

(e) ~~(Nursing services,~~

~~(f)) Hospital (either inpatient or outpatient care) and clinic services~~(:)~~~~

(g) ~~Convalescent, nursing, or rest home care only when there is an expectation of a normal period of convalescence after which other appropriate services leading to the rehabilitation of the client may be initiated or resumed. Such care shall not be provided by the division as a long term process for conditions not expected to improve,~~

~~(h) Drugs and supplies;~~

~~((+)) (f) Prosthetic, ~~(orthoptic)~~ orthotic, or other assistive devices essential to obtaining or retaining employment~~(:);~~~~

~~((+)) (g) Eyeglasses and visual services~~(:);~~~~

~~((+)) (h) Podiatry services;~~

~~((4)) (i) Physical therapy services; ((physical therapy shall consist of the employment of the physically beneficial properties of light, heat, cold, water, electricity, massage, manipulation, exercise, and mechanical devices as treatment of disease or injury.))~~

~~((m)) (j) Occupational therapy services; ((occupational therapy shall include all manual skills and recreational activities which provide specific active exercise for physical disabilities and shall include psychologic rehabilitation techniques.))~~

~~((n)) (k) Medical ((or medically related)) social work services((;));~~

~~((o)) (l) Medically directed speech or hearing therapy((;)) services;~~

~~((p)) (m) Medical treatment ((of medical applications and emergencies, either acute or chronic, which are associated with or arise out of)) associated with the provision of physical restoration services ((or are inherent in the condition under treatment.)); and~~

~~((q)) (n) Short-term treatment of minor or temporary illness which, if not cared for, would constitute a hazard to the achievement of the vocational ((objective or to the completion of extended evaluation); such short term medical treatment shall not exceed thirty days in the case of any one illness.)) goal.~~

(3) The division shall not provide organ transplantation, experimental procedures, or gender change procedures.

(4) Only an individual licensed to practice in the field of the individual's specialty shall provide physical and mental restoration services ((shall be provided by persons licensed to practice in the field of their specialties. It shall be required)). The division shall require that physicians providing medical and/or surgical treatment services ((shall) demonstrate eligibility for or certification by the appropriate medical specialty board. Any exceptions to this ((policy)) subsection can only be made by the state medical consultant. The state medical consultant for the department shall be responsible for establishing standards of competence for vendors of physical restoration services provided clients of the department where licensure or other regulatory standards have not been established in the Washington Administrative Code, as amended.

(5) The provision of ((physical and mental restoration)) such services shall be conditioned on the economic need of the client and the availability of comparable services and benefits.

AMENDATORY SECTION (Amending Order 1050, filed 8/29/75)

WAC 490-500-389 Vocational rehabilitation services—Telecommunications, sensory, and other technological aids and devices. (1) The ~~((provision of))~~ division may provide telecommunications, sensory, or other technological aids and devices~~((;))~~. Only an individual licensed or appropriately certified to fill individualized prescriptions and fittings ((must be performed by individuals licensed to fill such prescriptions and licensed to perform such fittings in accordance with)) consistent with state licensure laws((or be appropriately certified professionals)) shall perform such responsibilities. Aids and devices not

requiring individual fittings must meet engineering and safety standards ~~((recognized by experts in the field)).~~

(2) The provision of such services shall be conditioned on the economic need of the client and the availability of comparable services and benefits.

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90)

WAC 490-500-390 Vocational rehabilitation services—Training. (1) The division may provide ~~((rehabilitation))~~ training services to ~~((a client who—~~

~~((a) Has the mental, physical, and emotional qualifications and capacity to benefit from the training; and~~

~~((b) Requires the training to achieve the client's rehabilitation goal)) a client when necessary to attain the employment outcome.~~

(2) ((Vocational rehabilitation)) Training services may include, as necessary:

(a) ((A)) Personal and vocational adjustment, including work skill building;

(b) ((Pre-vocational)) On-the-job training;

(c) ((E)) Vocational/technical, trade, or business training;

(d) ((Personal adjustment)) Post-secondary academic training. The division shall not pay for training or training services in institutions of higher education unless maximum efforts have been made to secure grant assistance, in whole or in part, from other sources to pay for such training or training services. Post-secondary academic training shall be obtained from in-state public schools when an adequate course of study is offered;

(e) ((W)) Books, tools, fees, and other training materials; ((o))

(f) Independent living services; or

(g) Tutoring and other types of training contributing to the client's rehabilitation.

(3) ((Vocational rehabilitation training may be:

~~((a) Provided directly by the division; or~~

~~((b) Procured from:~~

~~((i) Public or private training facilities;~~

~~((ii) Public or private schools; or~~

~~((iii) Commercial or industrial establishments.~~

(4) Vocational rehabilitation)) The division shall limit a client's training ((shall be limited)) to the amount of training necessary to prepare the client for an appropriate and adequate ~~((occupational objective))~~ employment outcome.

~~((5) [Before expending division funds to provide training services,] the VRC shall determine:~~

~~((a) The economic need of the client; and~~

~~((b) Comparable services available to the client are utilized))~~

(4) The provision of such services shall be conditioned on the economic need of the client and the availability of comparable services and benefits.

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.

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90.)

WAC 490-500-418 Vocational rehabilitation services—Rehabilitation assistive technology services. (1) ~~((Assistive))~~ The division may provide rehabilitation technology services enabling a client to address barriers relative to an employment outcome in areas which include education, rehabilitation, employment, transportation, independent living, and recreation.

(2) Rehabilitation technology services ((shall include)) includes the systematic application of:

- (a) Technology;
- (b) Rehabilitative engineering methodologies; or
- (c) Scientific principals.

~~((2) The services meeting the needs of, and addressing the barriers confronted by, individuals with handicaps relate to:~~

- (a) Education;
- (b) Rehabilitation;
- (c) Employment;
- (d) Transportation; or
- (e) Independent living and recreation))

(3) Rehabilitation technology services include rehabilitation engineering, assistive technology devices, and assistive technology services.

(4) The provision of such services shall be conditioned on the economic need of the client and the availability of comparable services and benefits.

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90)

WAC 490-500-420 Vocational rehabilitation services—(Maintenance) Additional living expenses. (1) "Maintenance" ((services may include:

(a) The client's basic living expenses, such as food, housing, clothing, and health care needs; and

(b) Other subsistence expenses enabling the client to receive full benefit from other vocational rehabilitation services.

~~((2) The division may provide maintenance services to the extent necessary enabling a client to derive the full benefit of other vocational rehabilitation services.~~

(3)) means basic subsistence expenses, i.e., food, shelter, clothing, and utilities. The division ((may)) shall not provide maintenance ((at any time during the rehabilitation plan. Following placement, until the client receives remuneration for employment, maintenance may be provided to the client for a period not to exceed sixty days)).

~~((4) The division shall base the provision of maintenance services on the economic need of the client using DSHS standards and dollar amounts))~~

(2) "Additional living expenses" mean those expenses incurred over and above basic maintenance. The division may only provide additional living expenses when necessary and required for the client to participate and benefit from a primary service in a rehabilitation plan.

(3) Additional living expenses are a support service and shall only be provided in conjunction with one or more primary vocational rehabilitation services.

(4) The provision of such services shall be conditioned on the economic need of the client and the availability of comparable services and benefits.

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90)

WAC 490-500-430 Vocational rehabilitation services—((Placement materials))Occupational licenses, tools, equipment, and initial stocks and supplies. (1) The division may provide a client ~~((who is placed))~~ with tools, equipment, initial stocks and supplies, and occupational licenses~~((, and vehicles for use in connection with placement))~~ necessary to achieve an employment outcome, in such quantity and of such quality as to give reasonable assurance of a successful~~((~~

- ~~(a) Operation of the enterprise;~~
- ~~(b) Performance in the occupation; or~~
- ~~(c) Practice of the profession))~~ employment outcome.

~~((2) ((The division shall base the provision of tools, equipment, initial stocks and supplies, occupational licenses, and vehicles to clients upon the:~~

- ~~(a) Economic need of the client; and~~
- ~~(b) Utilization of comparable services and benefits available to the client.~~

~~((3)) Ownership of or title to tools, equipment, and supplies((, and vehicles)) shall remain with the division until the client ((is rehabilitated)) achieves the employment outcome and requires the tools((, or) or equipment((, or) or vehicle)) for continued employment.~~

(3) The provision of such services shall be conditioned on the economic need of the client and the availability of comparable services and benefits.

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.

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90)

WAC 490-500-435 Vocational rehabilitation services—Transportation. (1) The division may provide transportation services to ~~((a client in connection with the provision of:~~

- ~~(a) Physical restoration;~~
- ~~(b) Training;~~
- ~~(c) Placement;~~
- ~~(d) Extended evaluation; and~~
- ~~(e) Diagnostic services.~~

~~((2) Transportation services may include the costs of travel and subsistence during travel for a client and the client's necessary attendants or escorts.~~

~~((3) Transportation services may also include:~~

- ~~(a) Costs of relocation; and~~
- ~~(b) Moving expenses when:~~
 - ~~(i) Incurred in connection with other vocational rehabilitation services; and~~
 - ~~(ii) Necessary to the achievement of a vocational rehabilitation objective.~~

~~((4) Before expending division funds to provide transportation services, the VRC shall determine:~~

~~(a) The economic need of the client; and
(b) Comparable services available to the client are utilized~~) a client in order to assist the client to achieve the employment outcome.

(2) Modification of vehicles is a rehabilitation technology service and is not a transportation service.

(3) Transportation is a support service and shall only be provided in conjunction with one or more primary vocational rehabilitation services.

(4) The provision of such services shall be conditioned on the economic need of the client and the availability of comparable services and benefits.

(5) The division may provide transportation services in connection with ~~((diagnostic))~~ assessment services without regard to economic need.

NEW SECTION

WAC 490-500-437 Vocational rehabilitation services—Interpreter services and reader services. (1) The division may provide interpreter services to a client who is deaf or hard of hearing.

(2) The division may provide reader services to a client who is blind or visually impaired.

(3) Interpreter services and reader services are support services and shall only be provided in conjunction with one or more primary vocational rehabilitation services.

(4) The provision of such services shall be conditioned on the economic need of the client and the availability of comparable services and benefits.

AMENDATORY SECTION (Amending Order 775, filed 3/1/73)

WAC 490-500-445 Vocational rehabilitation services—~~(provided)~~—Services to family members ~~((of family))~~. (1) The division may provide vocational rehabilitation services ~~((shall be provided to members of))~~ to a client's family when such services are necessary and will substantially contribute to the rehabilitation of the client.

(2) Services to family members are support services and shall only be provided in conjunction with one or more primary vocational rehabilitation services.

(3) The provision of such services ~~((to members of the family))~~ shall be conditioned ~~((upon))~~ on the economic need of the client and the availability of comparable services and benefits.

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 775, filed 3/1/73)

WAC 490-500-450 Vocational rehabilitation services—~~(provided)~~—Other goods and services. (1) ~~((Such other goods and services shall be provided to the client as are essential to a determination of his rehabilitation potential, to his rehabilitation plan, or to render him fit to engage in a gainful occupation))~~ The division may provide a client with other goods and services necessary to conduct assessments,

participate in a rehabilitation plan, or render the client employable.

(2) The provision of ~~((other goods and))~~ such services shall be conditioned ~~((upon))~~ on the economic need of the client ~~((except when provided in connection with diagnostic services))~~ and the availability of comparable services and benefits.

AMENDATORY SECTION (Amending Order 1050, filed 8/29/75)

WAC 490-500-455 Vocational rehabilitation services—Post-employment services. (1) The division ~~((shall))~~ may provide ~~((such))~~ follow-up services to ~~((clients after placement as are necessary to insure that the placement is suitable and that the vocational rehabilitation of the individual has been achieved.~~

~~((2))~~ (2) The division may provide post-employment services to a client whose case has previously been terminated as "rehabilitated" when such services are necessary to ~~((overcome emergent or latent problems related to the original disability or handicap for which he was receiving services prior to termination))~~ maintain or regain employment consistent with the vocational goal.

~~((3))~~ (2) All ~~((follow up and))~~ post-employment services ~~((provided with))~~ the division provides shall have the same requirements ~~((to meet the economic needs test as those services that require the needs test for a regular program of services for comparable services and benefits and economic need as provided under WAC 490-500-180 and 490-500-325.~~

NEW SECTION

WAC 490-500-460 Vocational rehabilitation services—Information and referral services. The division may provide information and referral and other services to assist clients in securing needed services from other agencies.

NEW SECTION

WAC 490-500-465 Vocational rehabilitation services—Recruitment and training services. The division may provide recruitment and training services for individuals with disabilities to provide the individuals with new employment opportunities in the field of:

- (1) Rehabilitation;
- (2) Health;
- (3) Welfare
- (4) Public safety and law enforcement; and
- (5) Other appropriate service employment.

NEW SECTION

WAC 490-500-470 Vocational rehabilitation—Transition services. "Transition services" mean a coordinated set of services for a student who is an applicant or client, that promotes movement from school to post-school activities in an outcome oriented process to achieve an employment goal.

NEW SECTION

WAC 490-500-475 Vocational rehabilitation services—Supported employment. (1) "Supported employment services" mean ongoing support services and other appropriate services needed to support and maintain a client with the most severe disabilities in supported employment.

(2) The division may provide supported employment services to clients with the most severe disabilities when necessary to achieve an employment outcome.

(3) The division shall ensure supported employment services are:

(a) Provided singly or in combination to assist the client in entering and maintaining integrated, competitive employment;

(b) Based on a determination of the client's need; and

(c) Provided for a period of time not to exceed eighteen months, unless under special circumstances the client and the division agree to a time extension necessary to achieve the employment outcome.

NEW SECTION

WAC 490-500-477 Vocational rehabilitation services—Independent living services. (1) The division may provide independent living services to a client as necessary to:

(a) Participate in family, community, and work; and

(b) Achieve the employment outcome.

(2) Independent living services include, but are not limited to:

(a) Information and referral;

(b) Advocacy;

(c) Independent living assessments; and

(d) Independent living skills training.

NEW SECTION

WAC 490-500-480 Vocational rehabilitation services—On-the-job or other related personal assistance. (1) The division may provide on-the-job or other related personal assistance services to a client designed to increase the client's self-determination and ability to perform every day activities on and off the job.

(2) On-the-job or other related personal assistance services are support services and shall only be provided in conjunction with one or more primary vocational rehabilitation services.

(3) The provision of such services shall be conditioned on the economic need of the client and the availability of comparable services and benefits.

NEW SECTION

WAC 490-500-485 Vocational rehabilitation services—Services to groups. The division may provide services for the benefit of groups of individuals with disabilities. Such services include:

(1) Management and technical assistance services for small businesses operated by an individual with the most severe disabilities;

(2) Establishment, development, or improvement of community rehabilitation programs. The division shall use

such programs to provide services that promote integration and competitive employment;

(3) The use of existing telecommunication systems which substantially improve service delivery methods;

(4) The use of services for providing:

(a) Recorded materials for individuals who are blind, and

(b) Captioned films or video cassettes for individuals who are deaf; and

(5) Technical assistance and support services to businesses that are seeking individuals with disabilities.

AMENDATORY SECTION (Amending Order 1050, filed 8/29/75)

WAC 490-500-500 Purchase of services. (1) The division may purchase ~~((training from schools or sheltered workshops, or from business establishments which offer on-the-job training services))~~ any rehabilitation service not directly provided by division staff to clients.

(2) The division shall ensure all vocational rehabilitation services purchased relate directly to the client's employment outcome.

AMENDATORY SECTION (Amending Order 1050, filed 8/29/75)

WAC 490-500-505 Purchase of services—Selection criteria—Schools or training organizations. (1) In determining whether a particular school or training organization is appropriate and acceptable as a training facility, the ~~((VRC))~~ client and the division shall evaluate the curriculum, quality of training, and adequacy of total resources in relation to the client's needs. ~~((The VRC may also))~~

(2) To assist the client in the most efficient pursuit of the client's training, the division and client may consider such factors as the:

(a) Placement services, if any, offered by the facility~~((the));~~

(b) Convenience of the physical arrangements of the plant and ~~((their))~~ adaptability to ~~((their))~~ the needs of the client~~((, and the)); and~~

(c) Willingness of school or training organization authorities to ~~((adopt))~~ adapt and make available such equipment as is necessary ~~((to aid the client in the most efficient pursuit of his training)).~~

~~((2))~~ (3) The division shall limit the use of schools or training organizations for a client's training purposes ~~((shall generally be limited to those which are))~~ to those:

(a) Accredited, licensed, or approved ~~((either))~~ by a legal authority~~((, or are)); or~~

(b) Recognized as adequate by the professional or trade group with which ~~((they))~~ those groups are associated.

(4) The division shall ~~((attempt to))~~ utilize ~~((for training purposes))~~ those schools and other training ~~((facilities))~~ organizations which provide the ~~((recipient))~~ client with the credits, credentials, diplomas, or other certifications required by the profession or trade ~~((which is the goal of the recipient's rehabilitation program)).~~

~~((3))~~ (5) The division shall use tax supported schools ~~((shall be used))~~ in preference to nontax supported schools ~~((whenever))~~ when possible and appropriate in light of the vocational ~~((objective))~~ goal of the client ~~((in question)).~~

~~((4))~~ (6) The division shall not use out-of-state (training facilities shall not be used) schools and training organizations when satisfactory training opportunities for a client exist within the state. (Exceptions) The division shall only make an exception to this rule (should be made only) if the training available out of state offers a distinct and significant advantage to the client in realizing (his) the client's training objective and (subsequent job placement) employment outcome.

~~((5) Prior to the use of a school as a training facility the VRC shall advise the client involved about the status of the school in which the training program will be carried out. The client shall be made particularly aware of any limitation of job opportunities which might result from the use of a school or facility of limited or no accreditation.))~~

AMENDATORY SECTION (Amending Order 1050, filed 8/29/75)

WAC 490-500-510 Purchase of services—Selection criteria—(Employment training facilities) On-the-job training. A business or ~~(industrial)~~ trade establishment ~~((which is to be))~~ utilized by the division for the provision of ~~((employment training services))~~ a client's on-the-job training shall meet the following criteria:

(1) The ((facility)) establishment has personnel qualified for instructional purposes by knowledge, skills, and personality;

(2) The ((facility)) establishment has sufficiently diversified operations and adequate and suitable materials and equipment to ((insure a trainee)) ensure the client thorough ((preparations)) preparation and training ((within the scope and limits of his occupational objective)) to achieve the client's employment outcome;

(3) On-the-job training of the client((s)) is only incidental to the business activity of the ((facility)) establishment, and in no case shall the establishment's major activity ((of the facility)) be ((the)) training ((of clients)).

(4) The client shall be an official employee of the establishment for the establishment to qualify as an on-the-job training establishment.

AMENDATORY SECTION (Amending Order 1758, filed 2/3/82)

WAC 490-500-520 Purchase of services—Selection criteria—Community Rehabilitation ((facilities and workshops)) programs. (1) A community rehabilitation ((facility or a sheltered workshop to be)) program utilized by the division ((for vocational evaluation, vocational adjustment, placement, or extended sheltered employment,)) shall have a current full or provisional certification from the division stating the specific services the ((facility or workshop)) community rehabilitation program is qualified to provide to a client.

(2) The ((facility or workshop)) community rehabilitation program shall show evidence of an ongoing effort to ((move clients through the rehabilitation process; i.e., from work evaluation, work adjustment to competitive placement or extended sheltered employment)) assist the client to achieve competitive employment.

(3) The division shall ensure certification(, whether full or provisional, by the division shall be) of the community

rehabilitation program is based, in part, ((upon)) on compliance with accreditation criteria((s)) approved by the division, or such other ((national)) accreditation body as the division shall deem appropriate. ((Criteria))

(4) Areas to be addressed for accreditation ((shall include, but are)) include, but are not limited to((s));

(a) Evaluations of the organization, administration, and stated purpose of the ((facility)) community rehabilitation program;

(b) The services provided to ((the)) clients;

(c) Personnel qualifications, including educational or other preparation for the position, as well as ongoing training within the ((facility)) community rehabilitation program;

(d) The maintenance of record keeping systems adequate to document both the fiscal adequacy and reliability of the ((facility)) community rehabilitation program and the services provided to, and the progress of, the client;

(e) Fiscal management;

(f) Physical plant, including adequacy, maintenance, and compliance with all applicable statutes, regulations, and ordinances; and

(g) Such other evaluations of the ((program of the facility as a whole)) community rehabilitation program as the division shall require. ((National))

(5) Accreditation shall be one of the essential criteria utilized by the division in the determination of ((certifiability)) certification; however, ((no facility shall be certified by)) the division shall not certify a community rehabilitation program unless the division ((shall have determined)) determines, in the division's sole discretion, that there are sufficient potential clients to generate a need for the ((facility)) community rehabilitation program.

~~((2) Certification will be revoked, suspended or denied))~~

(6) The division shall revoke, suspend, or deny certification of a community rehabilitation program for failure to adequately comply with the criteria as determined by the division.

~~((3))~~ (7) The division may grant provisional certification ((may be granted by the division)) for not more than two years when ((a facility has been determined to be)) the division determines a community rehabilitation program is:

(a) In substantial compliance with the division's criteria ((established in this section,)); but

(b) Is not yet eligible for ((national)) accreditation.

~~((4) The department shall maintain available copies of regulations for distribution. The regulations may be found in the Washington state facility plan))~~

(8) The division shall maintain and make available for distribution the Washington state community rehabilitation program plan which sets forth community rehabilitation program requirements.

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90)

WAC 490-500-525 Termination of services under an individualized, written rehabilitation plan—Ineligible. (1) The division shall terminate services under an individualized, written rehabilitation plan ((on the basis the handicapped individual is)) when the division determines the client is:

(a) Not capable of achieving a ~~((vocationa))~~ rehabilita-
tion goal; or ~~((is))~~

(b) No longer eligible.

(2) The division shall make the decision to terminate
services with the involvement of the ~~((individual))~~ client or
the ~~((individual's))~~ client's representative.

(3) When the division determines ~~((an individual))~~ a
client is ineligible for ~~((vocationa))~~ rehabilitation services,
the division shall document and certify the client's ineligibil-
ity. The division shall ensure the documentation and
certification ~~((shall be))~~ is:

(a) Placed in the ~~((individual's))~~ client's file~~((;))~~;

(b) Dated~~((;))~~;

(c) Signed by an appropriate ~~((staff member))~~ division
employee.

(4) The division shall not terminate services under an
individualized, written rehabilitation plan when the ~~((individ-
ual insists upon a vocational goal contraindicated by medical
or labor market conditions))~~ client disputes the division's
decision until the client's dispute reaches a final resolution.

(5) The division may unilaterally terminate services
when the division has evidence the client obtained the
planned services through misrepresentation, fraud, collusion,
or criminal conduct.

AMENDATORY SECTION (Amending Order 1050, filed
8/29/75)

**WAC 490-500-530 Termination of services under an
individualized, written rehabilitation plan—For reasons
other than ineligibility.** ~~((Vocationa))~~ The division shall
terminate rehabilitation services ~~((shall be terminated))~~ when
a client:

(1) Has died~~((;))~~;

(2) Cannot be located by the division after reasonable
efforts to ~~((do so;))~~ locate the client;

(3) Has been institutionalized under circumstances
which preclude the provision of services for a substantial or
indefinite period of time~~((; or))~~;

(4) Has moved to another jurisdiction and the division
~~((has been))~~ is unable ~~((either))~~ to continue provision of
services ~~((or to refer the individual to an appropriate agency
within the other jurisdiction;))~~ or

(5) Removes ~~((himself))~~ oneself for consideration by
declining to accept or utilize ~~((vocationa))~~ rehabilitation
services after ~~((at))~~ the division has made a reasonable
effort ~~((has been expended))~~ to encourage participation.

NEW SECTION

**WAC 490-500-542 Termination of services under an
individualized written rehabilitation plan—Rehabilitated.**
The division shall terminate services to a client based on
achievement of the client's employment goal and the client
is considered rehabilitated if the following conditions are met:

(1) The program of rehabilitation services as set forth in
the client's rehabilitation plan has, insofar as possible, been
completed; or

(2) The client and the division have mutually decided
that it is necessary and/or appropriate for the client to choose
and attain an alternative employment goal before completing
a plan of service; and

(3) The division has provided or arranged for substantial
rehabilitation services to the client. The division shall not
terminate a client as rehabilitated unless the division has
provided or arranged one or more primary rehabilitation
services; and

(4) The division determines the client must have, at a
minimum, achieved an employment goal which has been
maintained for a period of time not less than sixty days; and

(5) The division and the client have assessed the need
for post-employment services.

AMENDATORY SECTION (Amending Order 1050, filed
8/29/75)

WAC 490-500-545 Notification of termination. (1)
The division shall provide written notification to ~~((every
individual who has applied for services whenever))~~ a client
when the division makes any determination ~~((is made))~~ to
terminate the client's services ~~((to him. Such))~~ unless the
client is terminated from services under WAC 490-500-
530(1) or (2).

(2) The division shall ensure the written notice ~~((shall
specify in detail))~~ of termination:

(a) Specifies the reasons for the division's decision to
terminate a client's services; and ~~((shall))~~

(b) Clearly ~~((inform))~~ informs the client of ~~((his))~~ the
availability of the client assistance program, and the client's
right to:

(i) An administrative ~~((appeal))~~ review; and ~~((to))~~

(ii) A fair hearing on the decision.

NEW SECTION

**WAC 490-500-555 Confidential information—
Disclosure.** Client information collected by the division is
intended for the purpose of determining eligibility and for
providing rehabilitation services to clients. This information
is to be kept confidential and only used in accordance with
appropriate program purposes. The division shall ensure the
release or sharing of such information is consistent with the
following provisions:

(1) Specific safeguards to ensure protection of current
and stored personal information.

(2) All clients, client's representatives and as appropri-
ate, service providers, cooperating agencies, and interested
persons shall be informed of the confidentiality of personal
information and the conditions for accessing and releasing
this information.

(3) All clients or client's representatives shall be
informed about the division's need to collect personal
information and the policies governing its use.

(4) Persons who are unable to communicate in English
or who rely on special modes of communication shall be
provided explanations about the division's policies and
procedures affecting personal information through methods
that can be adequately understood by them.

(5) This WAC shall prevail over less stringent state laws
and regulations.

(6) The division may establish reasonable fees to cover
extraordinary costs of duplicating records or making exten-
sive searches, and shall establish policies and procedures
governing access to records.

(7) All personal information in the possession of the division shall only be used for purposes directly connected with the administration of the rehabilitation program. The division shall not share information containing identifiable personal information with advisory or other bodies which do not have official responsibility for administration of the program. In the administration of the program, the division may obtain personal information from service providers and cooperating agencies under assurances that the information shall not be further divulged, except as provided under subsections (8), (9), and (10) of this section;

(8) The division may release information to a client when requested in writing by the client or the client's representative. The division shall make all information in the case record accessible to the client or the client's representative in a timely manner. The division shall ensure medical, psychological, or other information which the division believes may be harmful to the client is:

(a) Not released directly to the client; but

(b) Only provided through the client's representative, a physician, or a licensed or certified psychologist;

(9) Personal information which has been obtained from another agency or organization may only be released by, or under the conditions established by, the other agency or organization.

(10) The division may only release personal information to an organization, agency, or person engaged in audit, evaluation, or research for purposes:

(a) Directly connected with the administration of the rehabilitation program; or

(b) Which would significantly improve the quality of life for an individual with a disability, and only if the organization, agency, or individual assures that the:

(i) Information is only used for the purposes for which the information is provided;

(ii) Information is only released to individuals officially connected with the audit, evaluation, or research;

(iii) Information is not released to the client;

(iv) Information is managed in a manner to safeguard confidentiality; and

(v) Final product does not reveal any personal identifying information without the informed written consent of the involved client or the client's representative.

(11) The division may release information to other programs or authorities:

(a) On receiving the informed written consent of the client. The division may only release:

(i) To another agency or organization, that personal information which may be released to the client, and only to the extent that the other agency or organization demonstrates that the information requested is necessary for its program; and

(ii) Medical or psychological information which the division believes may be harmful to the client when the other agency or organization assures the division that the information will:

(A) Only be used only for the purpose for which the information is being provided; and

(B) Not be further released to the client.

(b) If required by federal law;

(c) In response to:

(i) Investigations in connection with law enforcement, fraud, or abuse; except, where expressly prohibited by federal or state laws or regulations; and

(ii) Judicial order; and

(d) In order to protect the client or others when the client poses a threat to:

(i) Oneself; or

(ii) The safety of others.

(12) Client information about drug, alcohol, HIV/AIDS, and sexually transmitted diseases shall be handled in accordance with 34 CFR 361.49 and 42 CFR, Part 2 and applicable federal and state laws and regulations.

(13) The division shall release personal information upon request of the division of child support.

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90)

WAC 490-500-560 Administrative review. (1) A client dissatisfied with a decision by the division regarding the client's (~~vocational~~) rehabilitation (~~ease~~) program may (~~file a~~) request (~~with~~) and receive from the division an administrative review and redetermination of the decision or action. The division shall ensure the purpose of the division's administrative review process is to effect((s)) a timely, informal resolution of disagreements. The ((process may)) division shall not ((be used as a means)) use the review process to delay the more formal fair hearing unless each party agrees to a delay.

(2) The client shall request an administrative review, in writing, and (~~file~~) submit the review request ((#)) to any office of the division within fourteen days of the division's decision or action.

(3) A (~~request for~~) client requesting an administrative review and redetermination of the decision shall:

(a) Specify the date of the decision or action appealed;

(b) Precisely specify the issue to be resolved by the administrative review;

(c) State the address of the client or the client's representative; and

(d) (~~Be signed by the client~~) Sign the request for administrative review or have the client's representative sign the request.

(4) (~~The client shall submit the request for an administrative review within sixty days after receiving notice from the division of the decision or action which is the basis for the review request.~~

(5) The regional administrator or designee of the region where the client receives services shall ((provide)) conduct an administrative review within thirty days after the client's submission of the review request.

((6)) (5) The regional administrator or designee shall:
(a) Certify the review findings to the client, in writing, ((as soon as possible)) within fifteen days after the conclusion of the administrative review specifying the reasons for the findings; and

(b) Inform((ing)) the client of the client's right to request and receive a fair hearing if dissatisfied with the findings.

(6) Unless the client or the client's representative so requests, the division shall not institute a suspension, reduction, or termination of services being provided under a

rehabilitation plan pending final determination of administrative review, unless the division has evidence that the services have been obtained through the client's misrepresentation, fraud, collusion, or criminal conduct.

NEW SECTION

WAC 490-500-580 Fair hearing—Adjudicative proceeding. (1) A client shall have the right to a fair hearing to contest any decision made by the division, including any decision:

(a) Concerning eligibility and/or the furnishing of rehabilitation services; and

(b) Rendered on administrative review if such as review was conducted.

(2) A client contesting a decision of the division shall, within fourteen days of receipt of the decision:

(a) Submit a written request for a hearing by a method producing proof of receipt by the office of appeals; and

(b) Include in or with the request for a hearing:

(i) A copy or statement of the division's decision being contested;

(ii) The grounds for contesting the division's decision; and

(iii) A specific statement of the issues and the laws involved.

(c) The proceeding shall be governed by the Administrative Procedure Act, chapter 34.05 RCW, this chapter, and chapter 388-08 WAC. If any provision of this chapter conflicts with chapter 388-08 WAC, the provision in this chapter governs.

(3) The hearing shall be held within forty-five days of the office of appeals' receipt of the request for hearing, unless extended for good cause shown upon request of either or both parties.

(4) The administrative law judge shall:

(a) Make a decision based on the provisions of the approved state plan, and federal and state rehabilitation laws, regulations, and policies; and

(b) Serve an initial decision supported by a full written report of the findings and grounds upon which it is based within thirty days of the completion of the hearing.

(5) The division shall ensure the initial decision becomes final unless:

(a) A petition for review is filed by the client in accordance with chapter 388-08 WAC; or

(b) The director gives notice of intent to review within twenty days of the mailing of the initial decision.

(6) The director shall conduct the review of the initial fair hearing decision and shall not delegate the review to another individual.

(a) If the director seeks a review of the initial decision, the division shall provide the client an opportunity to submit additional information relevant to the decision. The client shall submit supplemental information, in writing, within fourteen days of the notification of the director's intention to review, unless the client seeks an extension from the director on showing of good cause.

(b) If the client seeks a review of the initial decision, the division shall limit the review to the record created at the hearing before the administrative law judge.

(c) The director shall not overturn or modify an initial decision that supports the client's position unless the director concludes, based on clear and convincing evidence, that the initial decision is clearly erroneous because it is contrary to the:

(i) Approved state plan; or

(ii) Federal or state rehabilitation laws, regulations, or policies.

(d) The director shall make a final decision, in writing, within thirty days of the:

(i) Client's filing of a petition for review; or

(ii) Director's notice of intent to review or on completion of any supplemental record on review, whichever is later.

(e) The director's final decision shall include a full report of the findings and the grounds for such decision. On making the final decision, the director shall provide a copy of such decision to the client.

(7) The administrative law judge or director may provide for reasonable time extensions for good cause shown at the request of either or both parties, except for the time limitation established for the director to give notice of intent to review an initial decision.

(8) The division shall not institute a suspension, reduction, or termination of services under a rehabilitation plan pending final determination of the fair hearing or petition for review unless the:

(a) Client or the client's representative so requests; or

(b) Division has evidence the services have been obtained through the client's misrepresentation, fraud, collusion, or criminal conduct.

AMENDATORY SECTION (Amending Order 1050, filed 8/29/75)

WAC 490-500-590 Client records. The division ~~((will))~~ shall maintain for each ~~((applicant for vocational rehabilitation services))~~ client a case record which ~~((will))~~ includes, to the extent pertinent, the following information:

~~(1) ((Documentation as to the preliminary diagnostic study, supporting the determination of eligibility, or the determination that an extended evaluation of rehabilitation potential is necessary to make such determination;~~

~~(2) In the case of individuals who have applied for vocational rehabilitation services and have been determined to be ineligible, documentation as to the preliminary diagnostic study specifying the reasons for such determination;~~

~~(3) Data supporting any determination that the handicapped individual is a severely [severely] handicapped individual;~~

~~(4) Documentation as to periodic assessment of the individual during an extended evaluation of rehabilitation potential))~~ An application and any other information relevant to the client;

(2) Documentation of the type and nature of the client's disabilities and impairments;

(3) Documentation supporting the determination that the client meets the criteria of severe disability and the nature of that severe disability;

(4) Documentation of the determination of eligibility or ineligibility and documentation of the assessment and

rationale supporting such a decision to include documentation:

(a) Of eligibility and rehabilitation needs;
(b) That an extended evaluation of rehabilitation potential is necessary to make such an eligibility determination; or

(c) Of ineligibility.

(5) Data gathered during the comprehensive assessment for the development of the individualized, written rehabilitation plan;

(6) Narrative documentation of periodic progress reviews throughout the rehabilitation of the client;

~~((5))~~ (7) An individualized, written rehabilitation ~~((program))~~ plan as jointly developed and any amendments to such ~~((program))~~ plan;

~~((6))~~ In the event the physical and mental restoration services are provided documentation supporting the determination that the clinical status of the handicapped individual is stable or slowly progressive;

(7) Documentation supporting any decision to provide services to family members;

(8) Data relating to the client's financial participation ~~((by the handicapped individual))~~ in the cost of ~~((vocational))~~ rehabilitation services ~~((if the state elects to condition the provision of any vocational rehabilitation services on the financial need of the handicapped individual));~~

(9) Data relating to the eligibility of the ~~((individual for similar))~~ client for comparable services and benefits under any other program;

(10) Documentation of the decision to provide services, the nature and scope of such services, and the authorization and payment for such services;

(11) Documentation of the annual review and results of the review;

(12) Documentation that the ~~((individual))~~ client has been advised of the confidentiality of all information pertaining to ~~((his case))~~ the client's rehabilitation, and documentation and other material pertinent to the release of any information concerning the ~~((handicapped individual))~~ client on the basis of the written consent of the ~~((handicapped individual))~~ client or client's representative;

~~((11))~~ (13) Documentation ~~((as to the reason and justification for closing the case))~~ of the decision and rationale for terminating the rehabilitation program, including the employment status of the client, and ~~((if the individual is determined to be rehabilitated, the basis on which the employment was determined to be suitable))~~ documentation of the division's determination of the client's rehabilitation status;

~~((12))~~ (14) Documentation of any plans for the provision of post-employment services after the employment objective has been achieved, the ~~((basis on which))~~ rationale for such plans ~~((were developed, and)),~~ a description of the planned services ~~((provided)),~~ and the outcomes achieved;

~~((13))~~ (15) Documentation that the client has been informed of the rights, responsibilities, and services available through the client assistance program;

(16) Documentation as to any action and decision involving the ~~((handicapped individual's))~~ client's request for an administrative review ~~((of agency action))~~ or fair hearing ~~((s));~~ and

~~((14))~~ In the case of an individual who has been provided vocational rehabilitation services under an individualized written program but who has been determined after the initiation of such services to be no longer capable of achieving a vocational goal, documentation of any reviews of such determination))

(17) Documentation of results of annual reviews of cases closed ineligible, too severely disabled, or as a sheltered employee in a community rehabilitation program.

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90)

WAC 490-500-600 Independent living program~~((— Independent living rehabilitation services))~~. (1) The division may provide independent living ~~((rehabilitation))~~ program services:

(a) Consistent with Title VII of the Rehabilitation Act, as amended, to an eligible ~~((severely handicapped individuals))~~ who, through evaluation, are identified as:

(a) Having no reasonable vocational potential; or

(b) Needing no vocational services, but may benefit from services that enhance family or community participation.

(2) The division shall accept a severely handicapped individual's application for independent living rehabilitation services when the individual believes the individual has the potential to increase the quality and extent of family or community participation.

(3) Severely handicapped individuals shall:

(a) Play a substantial role in shaping the nature and delivery of the independent living rehabilitation services the individuals will receive; and

(b) Be responsible for fully participating in decisions affecting the course of the individualized, written independent living plan)) client who has:

(i) Not been determined eligible for and receiving services from Title I (vocational rehabilitation program) of the Rehabilitation Act, as amended; or

(ii) Been determined eligible for the Title I program but has chosen not to participate in the Title I program; and

(b) To the extent that division resources are available.

(2) A client may apply for independent living program services in areas where such services are available through the division.

(3) A client shall participate fully throughout the client's independent living program.

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.

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90)

WAC 490-500-605 Independent living program— Eligibility/ineligibility. (1) The division shall make an eligibility/ineligibility determination for applicants for independent living ~~((rehabilitation))~~ program services. After receiving the application, the division shall ~~((base the determination of eligibility on the results of a preliminary study and evaluation))~~ conduct an assessment to determine eligibility and independent living needs as soon as possible.

The division shall ensure the assessment identifies specific needs of the client, and includes the following areas, as necessary:

- (a) Environment management;
- (b) Financial management;
- (c) Home management;
- (d) Social skills;
- (e) Self-care; and
- (f) Education/vocational.

(2) The division shall only base eligibility ((only upon)) on:

(a) The presence ((of an individual's)) of a severe physical ((or)), mental ((handicap which constitutes or results in a substantial barrier to)), or sensory disability which substantially limits the client's ability to function independently in family or community ((participation)) life; and

(b) A ((reasonable expectation)) determination that the delivery of independent living ((rehabilitation)) program services ((may benefit)) will improve the ((individual through enhanced family or community participation)) individual's ability to function, continue functioning, or move toward functioning independently in family or community life.

(3) The division shall document, date, and sign the eligibility/ineligibility determination.

(4) If the division contracts to a third party to provide independent living program services, the division may choose to delegate the determination of eligibility/ineligibility for independent living services and the development of a written independent living plan.

The service provider shall comply with WAC 490-500-600 through 490-500-625.

(5) The division or, if appropriate, the service provider shall follow other eligibility requirements and procedures ((shall be followed)) described under WAC 490-500-030 (2), and (3), ((4), and (5) through 490-500-120)) 490-500-050 (1) and (3), 490-500-055, and 490-500-065.

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90.)

WAC 490-500-615 Independent living program—Economic need and comparable services. ((+)) The division ((shall require an applicant accepted for independent living rehabilitation services to furnish the division with all financial information and follow other)) or, if appropriate, the service provider, shall follow the provisions of economic need under WAC ((490-500-185)) 490-500-180 through 490-500-200 and comparable services and benefits under WAC 490-500-325 with all clients in the independent living program.

((2) Before expending division funds to purchase services, the VRC shall determine:

- (a) The economic need of the client; and
- (b) Comparable services available to the client are utilized.

In all cases, full consideration shall be given to any comparable services available to a handicapped individual participating in any other program.)

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90.)

WAC 490-500-620 Independent living program—Written independent living plan. (1) When ((accepted)) a determination of eligibility for independent living ((rehabilitation)) program services, has been made the ((individual)) client and the VRC or, if appropriate, the service provider, shall ((establish)) jointly develop and mutually agree on a written independent living plan ((to include)) unless the client chooses to sign a waiver that such plan is unnecessary. A written independent living plan may include:

(a) Goals or objectives addressing specific barriers to family or community participation; ((and))

(b) Services to be provided leading to the accomplishment of each goal ((within specified time frames.

(2) The division may provide handicapped individuals with independent living rehabilitation services, under WAC 490-500-605 and 490-500-610, and the services may be provided for the purposes of:

(a) Obtaining a satisfactory living arrangement;

(b) Activities of daily living including, but not limited

to:

(i) Grooming;

(ii) Dressing;

(iii) Hygiene;

(iv) Self care;

(v) Health;

(vi) Nutrition;

(vii) Cooking;

(viii) Shopping;

(ix) Time management;

(x) Money management; and

(xi) Other general homemaking tasks.

(c) Participation in family or community events, including recreational activities;

(d) Use of transportation services or systems and/or development of mobility skills;

(e) Access to and use of community resources necessary for the individual's independence and integration within:

(i) Family;

(ii) Community; and

(iii) Work settings.

(f) Peer or professional counseling to:

(i) Adjust to one's disability;

(ii) Learn personal decision-making skills; and

(iii) Gain greater control over the circumstances of one's life.

(g) Other services needed for enhanced family or community participation)) and the anticipated duration of such services; and

(c) Signature of the client or the client's representative.

(2) The division, or if appropriate, the service provider shall provide a copy of the written independent living plan and any amendments to the client or client's representative.

(3) The division, or if appropriate, the service provider shall review the written independent living plan as often as necessary but at least on an annual basis to determine whether:

(a) Services should be continued, modified, or discontinued; or

(b) The client should be referred for services to any other program of assistance.

(4) The division shall give the client the opportunity to redevelop the written, independent living plan as often as necessary, but at least on an annual basis.

NEW SECTION

WAC 490-500-622 Independent living program—Independent living services. The division or the service provider shall provide independent living program services necessary to achieve the client's rehabilitation goal, including, but not limited to:

- (1) Information and referral;
- (2) Assessments;
- (3) Independent living skills training;
- (4) Counseling, including peer counseling;
- (5) Individual and systems advocacy; and
- (6) Other independent living goods and services.

AMENDATORY SECTION (Amending Order 2982, filed 5/22/90, effective 6/22/90.)

WAC 490-500-625 Independent living plan—Termination. The division shall terminate independent living (~~rehabilitation~~) program services for (~~an individual~~) a client when the (~~individual~~) client:

- (1) Successfully or substantially completes the written, independent living (~~rehabilitation~~) plan;
 - (2) (~~No longer~~) Is not able or does not wish(~~es~~) to participate in services; (~~or~~)
 - (3) Is determined ineligible(~~or~~) or is no longer eligible;
- or
- (4) Has been determined eligible for and is about to receive vocational rehabilitation program services.

The division, or if appropriate, the service provider shall follow procedures for termination (~~shall be followed~~) as required under WAC 490-500-525 (~~through~~), 490-500-530, and 490-500-545.

NEW SECTION

WAC 490-500-627 Independent living program—Client records. The division or the service provider, shall maintain for each client a case record which includes, at a minimum, the following:

- (1) Documentation concerning eligibility or ineligibility for services;
- (2) Documentation of the services requested by the client;
- (3) Either the written independent living plan developed with the client or a waiver signed by the client stating that a written independent living plan is unnecessary;
- (4) Documentation of the services actually provided to the client;
- (5) Documentation of the independent living goals and objectives which were:
 - (a) Established with the client, whether or not in the client's written independent living plan; and
 - (b) Achieved by the client; and
- (6) To the extent pertinent, other information contained in WAC 490-500-590.

NEW SECTION

WAC 490-500-630 Statewide independent living council. (1) The state shall establish a statewide independent living council. The council shall not be established as an entity within any state agency.

(2) The council shall provide advocacy, education; and leadership in order to:

(a) Guide development of and promote access to independent living services and centers for independent living statewide;

(b) Increase opportunities for self-determination and empower people with disabilities to live self-directed lives; and

(c) Create awareness of people with disabilities as a valuable human resource.

(3) The governor shall appoint council members.

(4) The council shall ensure council membership and term of office are consistent with the Rehabilitation Act, as amended, Title VII, Section 705.

(5) The duties of the council shall be to:

(a) Jointly develop and sign, with the division of vocational rehabilitation and the department of services for the blind, an independent living state plan;

(b) Monitor, review, and evaluate the implementation of the state plan;

(c) Coordinate activities with the state rehabilitation advisory council and councils that address the needs of specific disability populations and issues under other federal law;

(d) Hold regularly scheduled public meetings and provide sufficient, advance notice;

(e) Submit required periodic reports to rehabilitation services administration;

(f) Hold hearings and forums as may be necessary to carry out the council duties;

(g) Prepare and plan for the provision of resources including council staff and personnel; and

(h) Supervise and evaluate council staff and personnel.

(6) The council shall be responsible for budgeting and the proper expenditure and use of funds and resources the council receives.

(7) The council members shall not cast a vote on any matter that may:

(a) Provide direct financial benefit to a member or a member's organization;

(b) Create some other conflict of interest; or

(c) Otherwise give the appearance of a conflict of interest.

NEW SECTION

WAC 490-500-635 State rehabilitation advisory council. (1) The state shall establish a state rehabilitation advisory council.

(2) The council shall advise the division on program development and the delivery of vocational rehabilitation services to individuals with disabilities in the state.

(3) The governor shall appoint council members.

(4) The council shall ensure council membership and term of office are consistent with the Rehabilitation Act, as amended, Title I, Section 105.

(5) The council shall:

(a) Review, analyze, and advise the division in accordance with the Rehabilitation Act, as amended, Title I relating to:

- (i) Eligibility;
- (ii) Extent, scope, and effectiveness of services; and
- (iii) Functions performed by state agencies that affect the ability of individuals with disabilities to achieve rehabilitation goals and objectives.

(b) Advise the division and assist in the preparation of the state plan, strategic plan, and other applications under Title I of the Rehabilitation Act, as amended;

(c) To the extent feasible conduct reviews and analyses of the effectiveness of the program and consumer satisfaction;

(d) Prepare and submit an annual report to the governor and rehabilitation services administration;

(e) Coordinate with the state independent living council and councils that address the needs of specific disability populations and issues under other federal law;

(f) Prepare and plan for the provision of resources including council staff and personnel;

(g) Supervise and evaluate such council staff and personnel;

(h) Hold regularly scheduled public meetings at least four times per year and provide sufficient, advance notice; and

(i) Hold hearings and forums as may be necessary to carry out the duties of the council.

(6) The council shall be responsible for budgeting and the proper expenditure and use of funds and resources the council receives.

(7) The council members shall not cast a vote on any matter that may:

(a) Provide direct financial benefit to the member or the member's organization;

(b) Create some other conflict of interest; or

(c) Otherwise give the appearance of a conflict of interest.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 490-500-020	Preliminary diagnostic study.
WAC 490-500-060	Criteria for the severely handicapped.
WAC 490-500-075	Extended evaluation—Eligibility criteria.
WAC 490-500-077	Certification for extended evaluation to determine rehabilitation potential.
WAC 490-500-085	Extended evaluation—Services provided.
WAC 490-500-090	Extended evaluation—Services not provided.
WAC 490-500-095	Extended evaluation—Duration and scope of services.
WAC 490-500-100	Extended evaluation—Assessment.
WAC 490-500-105	Extended evaluation—Revision of program.

WAC 490-500-110	Extended evaluation—Termination.
WAC 490-500-120	Certification of termination of extended evaluation and notice.
WAC 490-500-145	Criteria for selection of service—Individualized, written extended evaluation plan.
WAC 490-500-255	Thorough diagnostic study.
WAC 490-500-280	Individualized, written rehabilitation plan—Termination.
WAC 490-500-340	Criteria for selection of service—Individualized, written rehabilitation plan.
WAC 490-500-395	Vocational rehabilitation services—Training—College.
WAC 490-500-400	Vocational rehabilitation services provided—Training—Trade schools.
WAC 490-500-405	Vocational rehabilitation services provided—On-the-job training (OJT).
WAC 490-500-410	Vocational rehabilitation services—Training—Sheltered workshop.
WAC 490-500-415	Vocational rehabilitation services—Training materials.
WAC 490-500-417	Vocational rehabilitation services—Independent living.
WAC 490-500-425	Vocational rehabilitation services—Placement.
WAC 490-500-440	Vocational rehabilitation services provided—Interpreter services for deaf.
WAC 490-500-540	Completion of vocational rehabilitation program.
WAC 490-500-550	Confidential information—Disclosure.
WAC 490-500-570	Fair hearing—Adjudicative proceeding.

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

WSR 94-24-073
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Filed December 6, 1994, 3:36 p.m.]

Original Notice.

Title of Rule: Chapter 388-73 WAC, Child care agencies—Minimum licensing/certification requirements.

Purpose: Consolidates child day care center licensing in chapter 388-150 WAC, clarifies language, makes consistent with statute, deletes possible discriminatory language, and strengthens requirements for adoption agencies.

Statutory Authority for Adoption: Chapter 74.15 RCW.
 Statute Being Implemented: Chapter 74.15 RCW.

Summary: Helps consolidate child day care licensing in another chapter, repeals requirements for mini-day care centers, and strengthens adoption agency requirements.

Reasons Supporting Proposal: Language regarding nontraditional foster homes may be discriminatory. Day care licensing requirements are now located in a different WAC chapter. Sections relating to crisis residential center staffing are redundant. Recent failures of adoption licensed agencies bespeak the need for more specific requirements.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Barry Fibel, Office of Child Care Policy, DCFS, 753-0204.

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.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. The SIC group identified as 8322 includes forty-three types of social service agencies. The only changes in this chapter which are substantive are those which apply to adoption agencies; the others are housekeeping changes. There are approximately thirty-eight adoption agencies in the state. There are thousands of persons and agencies in this group, especially if aid to families with dependent children is counted. Either way, adoption agencies clearly represent less than 10% of the group.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on February 7, 1995, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Office of Vendor Services by January 24, 1995, TDD (206) 753-4595, or SCAN 234-4595.

Submit Written Comments to: Dewey Brock, Chief, Office of Vendor Services, Mailstop 45811, Department of Social and Health Services, 14th Avenue and Franklin Street, Olympia, Washington 98504, Identify WAC Numbers, FAX (206) 586-8487, by January 31, 1995.

Date of Intended Adoption: February 8, 1995.

December 6, 1994

Dewey Brock, Chief
Office of Vendor Services

AMENDATORY SECTION (Amending Order 1431, filed 9/10/79)

WAC 388-73-010 Authority. The following rules are adopted (~~pursuant to~~) under chapter 74.15 RCW(~~(=)~~) and RCW 74.08.044 (~~(and chapter 155, Laws of 1979)~~). Unless otherwise provided, these rules shall apply to all categories of agencies.

AMENDATORY SECTION (Amending WSR 92-08-056, filed 3/26/92, effective 4/26/92)

WAC 388-73-012 Definitions. (1) Terms defined under chapter 74.15 RCW shall have the same meanings when used in this chapter except as otherwise provided herein.

(2) "Capacity" means the maximum number of persons under care at a given moment in time.

(3) "Child," "youth," and "juvenile" means any (~~(individual)~~) person under the chronological age of eighteen years of age.

(4) "Developmentally disabled person" means (~~(an individual)~~) a person suffering from a mental and/or physical deficiency rendering the (~~(individual)~~) person incapable of assuming responsibilities expected of the socially adequate person, including self-direction, self-support, and social participation.

(5) "Full-time care provider" or "full-time care facility" means a foster family home for children or expectant mothers, group care facility, maternity home, crisis residential center, and juvenile detention facility.

(6) (~~"Home of community concern" means a non-traditional family home whose composition or culture is sufficiently diverse from the standards of the community at large so that a mishap or scrutiny of the license might raise concerns about the appropriateness of licensing and placement of children, and might subject the department to notoriety.~~)

(~~(7)~~) "Infant" means a child under one year of age.

(~~(8)~~) (7) "Premises" means the buildings wherein the facility is located and the adjoining grounds over which the operator of the facility has direct control.

(~~(9)~~) (8) "School-age child" means a child five years of age through twelve years of age enrolled in a kindergarten or elementary school.

(~~(10)~~) (9) "Secure detention facility" and "juvenile detention facility" means a facility, primarily for the care of juvenile offenders, operated so as to ensure all entrances and exits from the facility are locked, barred, or otherwise controlled so as to prevent escapes.

(~~(11)~~) (10) "Semisecure facility" means any facility, including but not limited to crisis residential centers or specialized foster homes, operated in a manner to reasonably assure youth placed there will not run away(~~(= Provided, That such)~~). The semisecure facility shall not be a secure institution or facility as defined by the federal Juvenile Justice and Prevention Act of 1974 and regulations and clarifying instructions promulgated thereunder. A child shall not be locked in the facility or any part thereof, (~~(not be otherwise)~~) or controlled by the use of physical restraints except as provided (~~(=)~~) under WAC 388-73-048.

(~~(12)~~) (11) "Severely and multiply-handicapped child" is a child diagnosed as primarily dependent for most activities of daily living, except for (~~(persons)~~) a person requiring the services of a skilled health care (~~(providers)~~) provider.

AMENDATORY SECTION (Amending WSR 92-08-056, filed 3/26/92, effective 4/26/92)

WAC 388-73-014 Persons and organizations subject to licensing. Persons and organizations operating the following types of facilities are subject to licensing under chapter 74.15 RCW and RCW 74.08.044:

(1) (~~"Group care facility for children" means an agency maintained and operated for the care of a group of children on a twenty-four hour basis;~~)

(2) "Child-placing agency" means an agency placing children for temporary care, continued care, or for adoption;

(2) "Crisis residential center" means an agency operating under contract with the department to provide temporary, protective care to children in a semisecure residential facility as required under RCW 13.32A.010 through 13.32A.200 and 74.13.032 through 74.13.036. The department shall follow separate adopted requirements for the following subcategories of crisis residential centers:

(a) A regional crisis residential center is a structured group care facility whose primary and exclusive functions are those of a crisis residential center;

(b) A group care facility functioning partially or exclusively as a crisis residential center;

(c) A foster family home functioning either partially or exclusively as a crisis residential center and has been designated as a crisis residential center by the department.

(3) ("Maternity service" means an agency providing or arranging for care or services to expectant mothers regardless of age, before or during confinement, or providing care as needed to mothers and their infants after confinement. See WAC 388-73-702;

(4) "Day care facility" means an agency regularly providing care for children for periods of less than twenty-four hours. Separate requirements are adopted for the following subcategories of day care facilities:

(a) A "mini-day care program" means a day care facility for the care of twelve or fewer children in a facility other than the family abode of the person or persons under whose direct care and supervision the children are placed; or

(b) A) "Day treatment program" means an agency providing care, supervision, and appropriate therapeutic and educational services during part of the twenty-four-hour day for a group of persons under eighteen years of age and the persons are unable to adjust to full-time regular or special school programs or full-time family living because of:

- (i) Disruptive behavior;
- (ii) Family stress;
- (iii) Learning disabilities; or
- (iv) Other serious emotional or social handicaps.

(4) A "facility for severely and multiply-handicapped children" means a group care facility providing residential care to a group of nonambulatory children whose severe, disabling, multiple physical, and/or mental handicaps will require intensive personal care, and may require skilled health care, physical therapy, or other forms of therapy;

(5) "Foster family home" means a person or persons regularly providing care on a twenty-four-hour basis to one or more, but not more than four, children, expectant mothers, or developmentally disabled persons in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or developmentally disabled person is placed;

(6) "Group care facility for children" means an agency maintained and operated for the care of a group of children on a twenty-four-hour basis;

(7) "Large foster family home" means a foster family home with at least two adult residents in the home providing care on a twenty-four-hour basis to five or six children or developmentally disabled persons;

~~((7) "Crisis residential center" means an agency operating under contract with the department to provide temporary, protective care to children in a semisecure residential facility in the performance of duties specified and~~

~~in the manner provided in RCW 13.32A.010 through 13.32A.200 and 74.13.032 through 74.13.036. Separate requirements are adopted for the following subcategories of crisis residential centers:~~

~~(a) A regional crisis residential center is a structured group care facility whose primary and exclusive functions are those of a crisis residential center;~~

~~(b) A group care facility functioning partially or exclusively as a crisis residential center;~~

~~(c) A foster family home functioning either partially or exclusively as a crisis residential center and has been designated as a crisis residential center by the department.))~~

~~(8) ((A "facility for severely and multiply handicapped children" means a group care facility providing residential care to a group of nonambulatory children whose severe, disabling, multiple physical, and/or mental handicaps will require intensive personal care, and may require skilled health care, physical therapy, or other forms of therapy)) "Maternity service" means an agency providing or arranging for care or services to expectant mothers regardless of age, before or during confinement, or providing care as needed to mothers and mothers' infants after confinement as described under WAC 388-73-702.~~

AMENDATORY SECTION (Amending Order 3418, filed 7/9/92, effective 8/9/92)

WAC 388-73-01950 Fire standards. All group care facilities, ~~((mini-day care centers))~~ day treatment programs, and maternity centers shall conform to the rules and regulations adopted by the Washington state fire marshal's office establishing minimum standards for the prevention of fire and for the protection of life and property against fire. ~~((The Washington state fire marshal's standards are found in chapter 212-55 WAC.))~~ The state fire marshal's requirements consist largely of the Uniform Building Code and Washington state amendments to the Uniform Building Code.

AMENDATORY SECTION (Amending WSR 92-08-056, filed 3/26/92, effective 4/26/92)

WAC 388-73-036 Licensure—Denial, suspension, or revocation. (1) Before granting a license and as a condition for continuance of a license, the department shall consider the ability of each applicant, licensee, and chief executive officer, if any, to operate the agency under ~~((the law))~~ chapter 74.15 RCW and this chapter. Such persons shall be considered separately and jointly as applicants or licensees and if any one be deemed disqualified by the department in accordance with chapter 74.15 RCW or this chapter, the department may deny, suspend, revoke, or not renew the license:

(a) The department shall disqualify any ~~((individual))~~ person engaging in illegal use of drugs or excessive use of alcohol;

(b) ~~((The department shall disqualify any individual who has been convicted of an offense listed in chapter 388-330 WAC;~~

~~((The department shall disqualify any individual convicted of a felony or released from a prison within seven years of the date of application for the license because of the conviction, if:~~

~~(i) The conviction is reasonably related to the competency of the person to exercise responsibilities for ownership, operation, or administration of an agency; and~~

~~(ii) The department determines, after investigation, the person has not been sufficiently rehabilitated to warrant public trust.~~

~~(d) The department shall not grant a license to an applicant who, in this state or elsewhere:~~

~~(i) Has been denied a license to operate an agency for the care of children, expectant mothers, or developmentally disabled adults; or~~

~~(ii) Had a license to operate such an agency suspended or revoked.~~

~~(e) An applicant may establish by clear, cogent, and convincing evidence the ability to operate an agency under this chapter. The department may waive the provision in subdivision (1)(d) of this section and license the applicant.)~~

The department shall disqualify any person who has been convicted of a criminal offense, or who allows a person convicted of a criminal offense to provide care, as provided in chapter 388-330 WAC; and

(c) The department shall not grant a license to an applicant who in this state or elsewhere, has had denied, suspended, or revoked a license to care for children, expectant mothers, or developmentally disabled adults. The department may waive this provision and grant a license if the applicant demonstrates by clear, cogent, and convincing evidence the ability to operate an agency in accordance with requirements of this chapter.

(2) The department may deny, suspend, revoke, or not renew ~~((*)~~) an agency license for failure to comply with the provisions of chapter 74.15 RCW, and rules contained in this chapter. The department shall deny, suspend, revoke, or not renew for any of the following reasons:

(a) Obtaining or attempting to obtain a license by fraudulent means or misrepresentation including:

(i) Making materially false statements on the application; or

(ii) Material omissions which would influence appraisal of the applicant's suitability.

(b) Permitting, aiding, or abetting the commission of any illegal act on the premises;

(c) Permitting, aiding, or abetting the abuse, neglect, exploitation, or cruel or indifferent care to a person under care;

(d) Repeatedly:

(i) Providing insufficient personnel relative to the number and types of persons under care; or

(ii) Allowing a person unqualified by training, experience, or temperament to care for or be in contact with the person under care.

(e) Misappropriation of the property of a person under care;

(f) Failure or inability to exercise fiscal responsibility and accountability in respect to agency operation ~~((of the agency))~~;

(g) Failure to provide adequate supervision to a person under care;

(h) Refusal to admit an authorized ~~((representatives))~~ representative of the department, the state department of health, or state fire marshal to inspect the premises;

(i) Refusal to permit;

(i) An authorized ~~((representatives))~~ representative of the department to have access to the records necessary for the operation of the agency; or ~~((to permit))~~

(ii) The department representatives to interview agency staff and clients~~((;))~~.

(j) Knowingly having an employee or volunteer on the premises who has made misrepresentation or significant omissions on the application for employment or volunteer service; and

(k) Refusal or failure to supply necessary additional department-requested information.

(3) The department may deny, suspend, revoke, ~~((or))~~ not renew, or modify a license for violation of any condition or limitation upon licensure including, but not limited to, providing care for:

(a) More children than the number for which the agency is licensed; or

(b) Children of ages different from the ages for which the agency is licensed.

(4) The department's notice of a denial, revocation, suspension, or modification of a license is governed by RCW 43.20A.205. The provider's right to an adjudicative proceeding is in the same law.

(a) A provider contesting a department licensing decision shall within twenty-eight days of receipt of the decision:

(i) File a written application for an adjudicative proceeding by a method showing proof of receipt with the office of appeals; and

(ii) Include in or with the application:

(A) A specific statement of the issue or issues and law involved;

(B) The grounds for contesting the department decision; and

(C) A copy of the department decision being contested.

(b) The proceeding shall be governed by the Administrative Procedure Act (chapter 34.05 RCW), RCW 43.20A.205, this chapter, and chapter 388-08 WAC. If any provision of this chapter conflicts with chapter 388-08 WAC, the provision in this chapter governs.

(5) The department may deny, suspend, revoke, or not renew a license when the agency fails to comply with the federal Indian Child Welfare Act, P.L. 95-608, chapters 13.04 and 13.34 RCW, WAC 388-73-044~~((;))~~ Special Requirements Regarding American Indians, or WAC 388-70-600 through 388-70-640~~((;))~~ relating to local Indian child welfare advisory committees.

AMENDATORY SECTION (Amending WSR 92-08-056, filed 3/26/92, effective 4/26/92)

WAC 388-73-054 Client records and information—

All agencies. (1) Agencies shall maintain records and information concerning ~~((persons))~~ a person in care in such a manner as to preserve their confidentiality. For American Indian children, see WAC 388-73-044. A licensed facility shall maintain records giving the following information on each person under care ~~((shall be maintained))~~ at the licensed facility. The ~~((agency's))~~ agency shall ensure records ~~((shall))~~ contain, at a minimum, the following information:

(a) Identifying information, including:

(i) Name;

PROPOSED

- (ii) Birthdate;
- (iii) For full-time care providers, dates of admission, absences, and discharge; and
- (iv) For day (~~care~~) treatment providers, daily attendance.
- (b) Identifies information for parents or other persons to be contacted in case of emergency:
 - (i) Names;
 - (ii) Addresses; and
 - (iii) Telephone numbers, if any (home and business).
- (c)(i) Dates and kinds of illnesses and accidents;
- (ii) Medication and treatments prescribed;
- (iii) Time given and by whom;
- (iv) Except for crisis residential centers and certified juvenile detention facilities, dates and types of immunization; and
- (v) Other pertinent information relating to the person's health.
- (d) Written parental consent (~~(f)~~) or court order(~~(g)~~) for providing medical care and emergency surgery, except as such care is otherwise authorized by law;
- (e) Names, addresses, and telephone numbers of persons authorized to take the person under care out of the facility;
- (f) Authorization for acceptance of the person under care. Juvenile detention facilities and crisis residential centers shall record the time and date a placement is made, the names of the person and organization making the placement, and the reasons for the placement;
- (g) In addition, for day (~~care~~) treatment facilities, a completed application signed by the parent, guardian, (~~(e)~~) responsible relative, or responsible agency;
- (h) For day (~~care~~) treatment facilities, a written consent signed by the parent or parents for all transportation provided by the caregiver, trips, and swimming if the child will be participating in these activities;
- (i) A copy of the report sent to the department licensor of all accidents, injuries, and illnesses requiring inpatient hospitalization occurring to the child while the child is present at the facility; and
- (j) Immunization records as per WAC 388-73-140 (4) and (5).
- (2) The agency's records of severely and multiply handicapped children shall also contain:
 - (a) Information obtained upon admission including:
 - (i) Identifying and social data(~~(g)~~); and
 - (ii) An inventory of personal belongings, medical history, and a report of a physical examination and diagnosis by a physician(~~(g)~~).
 - (b) Information about the child's daily care including:
 - (i) All plans,
 - (ii) Treatments,
 - (iii) Medications,
 - (iv) Observations,
 - (v) Teaching,
 - (vi) Examinations,
 - (vii) Physicians' orders,
 - (viii) Allergic responses,
 - (ix) Consent authorizations,
 - (x) Releases,
 - (xi) Diagnostic reports, and
 - (xii) Revisions of assessments(~~(g)~~).
- (c) A summary upon discharge including:

- (i) Diagnoses, treatments, and prognosis by the person responsible for the total plan of care(~~(g)~~);
- (ii) Instructions given to the person providing continuing care(~~(g)~~); and
- (iii) A record of any referrals directed toward continuity of care(~~(g)~~).
- (d) Appropriate information if the child has died including:
 - (i) The time and date of death(~~(g)~~);
 - (ii) Apparent cause of death(~~(g)~~);
 - (iii) Appropriate notification of the physician and relevant others (including the coroner if necessary)(~~(g)~~); and
 - (iv) The disposition of the body and personal effects.

AMENDATORY SECTION (Amending Order 2445, filed 12/2/86)

WAC 388-73-074 Social service staff. (1) See WAC 388-73-662 for staffing requirements for adoption agencies.

(2) Each child-placing agency, day treatment program, maternity service, and group care facility, except for juvenile detention facilities, shall provide or arrange for social services by persons at least one of whom has a master's degree in social work or closely allied field.

~~((2))~~ (3) Social service staff not having a master's degree in social work shall have a bachelor's degree in social work or closely allied field and shall receive face-to-face supervision by a person having a master's degree in social work or closely allied field for a minimum of one hour for each twenty hours of paid employment.

~~((3))~~ (4) When social services are provided by an agency other than the licensee, there shall be a written agreement detailing the scope of service to be provided. Any such agreement must meet the requirements of this section.

~~((4))~~ (5) The following minimum ratios of full-time social service staff providing direct services to persons under care shall be provided:

Day treatment program	1 to 15
Group care facilities	1 to 25
Child-placing agency	1 to 25
Maternity services	1 to 25
Regional and other group care crisis residential centers	1 to 5
<u>Foster homes or foster/adoptive homes</u>	<u>1 to 50</u>
<u>Adoptive homes</u>	<u>1 to 25</u>

AMENDATORY SECTION (Amending Order 2445, filed 12/2/86)

WAC 388-73-076 Social study—Treatment plans. Except for juvenile detention facilities and adoption agencies, the social service staff of each child-placing agency, day treatment program, maternity service, and group care facility shall:

(1) Develop or assemble from appropriate sources a written diagnostic social study on each child and expectant mother accepted for care. Except in the case of persons accepted for emergency care, the study shall serve as the basis of the person's admission to care. In such case, the study shall be completed within thirty days after admission if the person remains in care. The study shall contain in

addition to the minimum information recorded as required by WAC 388-73-054 the following information:

(a) Child's school records, when possible. Where children attend school away from the facility, records mean grade placement, reports, and correspondence with schools. Where the facility has a school on the grounds, records shall mean transcripts and other records normally kept by a school(-);

(b) Copies of psychological or psychiatric evaluations, if any, of the child or expectant mother(-); and

(c) A narrative description of the background of the child and ~~((his or her))~~ the child's family, the child's interrelationships and the problems and behaviors necessitating care away from own home, previous placement history, if any, and an evaluation as to need for the particular services and type of care the licensee will provide. For American Indian children, see WAC 388-73-044.

(2) Develop and implement a written treatment plan for each person accepted for care. Such plan shall outline the agency's treatment goals and methods of work with the ~~((individual))~~ person and ~~((his or her))~~ the person's family. The plan shall be updated at least quarterly to show progress toward achievement of goals and shall identify impediments to the return of the child to his or her own home, the home of relatives, or placement for adoption and steps taken or to be taken to overcome those impediments. ~~((No))~~ A person shall not be admitted to ~~((not))~~ or retained in an agency's program where the person cannot be served effectively by the program or where the person can be served more appropriately by another available program.

(3) Whenever the treatment plan indicates the child may return to ~~((his or her))~~ the child's own home, the agency shall provide or arrange for services to child's parents. Where geographical or other conditions prevent the licensee from working directly with child's parents or another agency is already providing appropriate services, the licensee shall enter into an agreement with the agency for joint planning and exchange of reports toward the end of reuniting the family, or shall make arrangements with another appropriate agency toward that end.

(4) Whenever the treatment plan indicates the child will not be able to return to ~~((his or her))~~ the child's own home, the agency shall move expeditiously to develop a plan for permanence for the child. The permanent placement for the child shall be made in a family able to meet the child's physical, emotional, and cultural needs.

(5) Agency records shall include a running account of the treatment received by the child and others involved in the treatment plan including but not limited to group treatment, individual counseling, etc., whether delivered by the agency or a contracted source. The file shall be updated no less frequently than once per thirty days.

AMENDATORY SECTION (Amending Order 3418, filed 7/9/92, effective 8/9/92)

WAC 388-73-118 Toilets, handwashing sinks, and bathing facilities. Licensees shall provide sanitary facilities and equipment according to the following configuration:

(1) There shall be at least one indoor flush-type toilet and one nearby handwashing sink with hot and cold or

tempered running water. The following ratios of persons normally on the premises to facilities shall apply:

	Toilets	Handwashing Sinks	Bathing Facilities
Day Treatment Programs	*2 minimum and 1:15 or major fraction	2 minimum and 1:15 or major fraction	None Required
((Mini Day Care Programs))	1 minimum	1 minimum	None Required
Group Care Facilities and Maternity Homes	2 minimum and 1:8 or major fraction	2 minimum and 1:8 or major fraction	1 minimum major fraction
Foster Family Home	1 minimum	1 minimum	1 minimum

* A minimum of one is acceptable provided ~~((no more than))~~ fifteen or fewer persons capable of using a flush-type toilet are on the premises.

(2) The licensee shall ~~((assure))~~ ensure that toilet facilities comply with the following standards:

(a) Toilet and bathing facilities shall provide for privacy for persons of the opposite sex six years of age or older;

(b) Toilet, urinals, and handwashing sinks shall be of appropriate height for the children served or be provided with a safe and easily cleanable platform impervious to moisture;

(c) Except in foster family homes, handwashing and bathing facilities shall be provided with hot and cold or tempered running water not exceeding one hundred twenty degrees Fahrenheit or warm running water in the range of eighty-five to one hundred twenty degrees Fahrenheit maximum;

(d) All bathing facilities shall have a conveniently located grab bar unless other safety measures, such as nonskid pads, are approved by the department as described under ~~((subdivision))~~ subsection (2)(g) of this ~~((subsection))~~ section. Preschool children and severely and multiply-handicapped children shall not be left unattended in a bathtub or shower;

(e) Equipment for toileting and toilet training of toddlers shall be provided, maintained in a sanitary condition, and located on a moisture impervious surface at all times. Children less than eighteen months of age and/or children using toilet training equipment need not be included when determining the number of flush-type toilets required;

(f) Whenever urinals are provided, the number of urinals shall not replace more than one-third of the total required toilets;

(g) ~~((In))~~ Maternity homes(-) shall ensure:

(i) Bathing facilities ~~((shall))~~ have adequate grab bars in convenient places.

(ii) All sleeping areas ~~((shall))~~ have at least one toilet and handwashing sink on the same floor(-);

(h) The licensee shall provide soap and individual towels or disposable towels or other approved hand drying devices ~~((shall be provided))~~.

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.

PROPOSED

AMENDATORY SECTION (Amending WSR 92-08-056, filed 3/26/92, effective 4/26/92)

WAC 388-73-144 Nutrition. The licensee shall provide food, according to the following requirements, to children in care:

(1) Food served shall be planned to meet the needs of the persons under care, taking into consideration the persons' ages, developmental levels, individual metabolic differences, cultural backgrounds, any handicapping conditions, and hours of care in the facility. To promote an educational and socializing environment during mealtimes, staff shall sit with the persons and eat the same foods;

(2) The licensee shall not serve or provide raw milk to children in care. Skim milk and reconstituted nonfat dry milk and one and two percent butterfat milks shall not be used for drinking purposes by any child less than eighteen months of age, except with the written permission of a physician (~~;- except further, that for mini day care centers, such reduced fat milk may be given to the child twenty three months of age or younger with written permission of the child's parent~~).

(3) The licensee may reconstitute dry milk and milk products (may be reconstituted) in the facility for drinking purposes for children over eighteen months of age, provided the preparation, service, and storage of said milk is in accordance with (the requirements of) chapter 246-215 WAC, Food Service, relating to potentially hazardous foods;
~~((3))~~ (4) Except for foster homes and child placing agencies, the licensee shall record all food served.

(a) The licensee shall:

(i) Prepare daily menus, including all snacks required to be served, at least one week in advance and (dated-) date the menus; and

(ii) Establish and post a schedule of mealtimes (shall be established and posted). The licensee shall post menus where parents can view the menus.

(b) A menu shall specify a variety of foods to enable a person to consume adequate nutrients. Cycle menus, including snacks, shall provide at least two weeks of variety before repeating. Any substitutions shall be of comparable nutrient value and recorded.

(c) The licensee shall keep the menus on file for a minimum of six months for department review (~~by the department~~).

(d) For facilities caring for severely and multiply-handicapped children, the licensee shall post a general meal pattern including types of food and kinds of meal service. A system for recording food and fluid intake of each child shall be approved by a physician and a dietitian (~~(see)~~) as described under subsection ((8)) (10) of this section(7). The licensee shall keep records of food and fluid intake of each child in the child's file for at least one month and in the facility for at least six months.

~~((4))~~ (5) The licensee shall not serve nutrient concentrates, supplements, and modified diets (therapeutic and allergy diets) except with the written instructions of a physician.

(a) The licensee shall obtain from the parent, responsible guardian, responsible relative, or physician a written diet listing foods the person cannot have. The licensee shall post dietary restrictions with persons' names for staff to follow.

(b) For facilities caring for severely and multiply-handicapped children, all modified diets shall be planned, reviewed, and approved by a dietitian (~~(see)~~) as described under subsection ((8)) (10) of this section(7).

~~((5) Mini day care and)~~ (6) Day treatment. The licensee shall serve food to children in care for five to ten hours providing at least one-third of the 1989 recommended dietary allowances set by the national research council. Children in care for more than ten hours, except children in evening care, shall be offered an additional snack. Children bringing sack meals from home shall be provided additional foods to meet the requirements. (~~Licensees~~) The licensee shall consult with parents as to what additional foods should be provided to the child. (Menus shall be posted where parents can view them-)

(a) The licensee shall offer all children arriving before 7:00 a.m. not having received breakfast a breakfast providing at least one-fourth of the recommended dietary allowances.

(b) The licensee shall offer all children present mid-morning and midafternoon snacks. If breakfast was served to all children, then a midmorning snack is not required. The licensee shall offer children arriving after school (shall be offered) a snack.

(c) The licensee shall provide all children between-meal snacks contributing toward the daily food needs. The licensee shall ensure snacks (shall) consist of two or more of the following items, served in age-appropriate serving sizes:

(i) Milk or milk products;

(ii) Fruit and/or vegetables;

(iii) Fruit and/or vegetable juices that are at least fifty percent real juice;

(iv) Whole grain or enriched breads and/or cereal products;

(v) Protein foods (animal or vegetable).

(d) The department shall not prohibit the licensee from occasionally serving party foods not meeting (~~the~~) these requirements.

~~((6))~~ (7) Full-time care providers. The agency shall serve all children food in accordance with the 1989 recommended dietary allowances of the food and nutrition board, national research council, adjusted for age, sex, physical abilities, and activity of each person.

(8) The licensee shall provide all children a minimum of three meals in each twenty-four-hour period. (~~Deviation may be made~~) The licensee may deviate from this minimum when a written request has been made to and approved in writing by the department. The licensee shall ensure the time interval between the evening meal and breakfast (shall be) is not more than fourteen hours. For facilities caring for severely multiply-handicapped children, if a child is incapable of consuming foods in the amounts and variety required to meet the recommended dietary allowances, the licensee shall provide nutritional supplements ordered by a physician (must be provided) to meet the 1989 recommended dietary allowances adjusted for a child's age, weight, and height unless medically contraindicated.

~~((7))~~ (9) The licensee shall provide all children a minimum of one serving of vitamin C fruit, vegetable, or juice daily, and servings of food high in vitamin A three or more times per week.

~~((8))~~ (10) In facilities caring for severely and multiply-handicapped children, the agency shall weigh each child ~~((shall be weighed))~~ at least monthly and ~~((measured in))~~ shall measure the child's length at least quarterly. The licensee shall maintain records of these measurements ~~((shall be maintained))~~ in the child's record.

~~((9))~~ (11) Facilities caring for severely and multiply-handicapped children shall use the services of a dietitian meeting the 1980 registration requirements of the American dietetic association to comply with WAC 388-73-077, 388-73-144 (3) and (4), and 388-73-146(6).

AMENDATORY SECTION (Amending WSR 92-08-056, filed 3/26/92, effective 4/26/92)

WAC 388-73-146 Care of younger or severely and multiply-handicapped children. This section is only applicable ~~((only))~~ to ~~((mini-day-care programs,))~~ group care facilities, foster homes, day treatment programs, maternity homes, and facilities for severely and multiply-handicapped children.

~~((1))~~ A licensee shall not accept a child under one month of age for day care.

~~((2))~~ (1) Facilities licensed to care for thirteen or more children shall provide separate, safe play areas for children under one year of age or children not walking. The licensee shall care for children under one year of age ~~((shall be cared for))~~ in rooms or areas separate from older children, as approved by the department with:

(a) Not more than eight such children to a room or area; and ~~((with))~~

(b) Handwashing facilities in ~~((each such))~~ the room or area or convenient thereto.

~~((3))~~ (2) Diaper changing. The provider shall ensure:

(a) Diaper-changing areas ~~((shall be))~~ are sanitized between use for different children or protected by a moisture impervious (or not absorbent) disposable covering discarded after each use;

(b) Disposable towels or clean reusable towels having been laundered between children ~~((shall be))~~ are used for cleaning children;

(c) Personnel ~~((shall))~~ wash hands before and after diapering each child;

(d) Diaper-changing areas ~~((shall be))~~ are separate from food preparation areas and shall be adjacent to a handwashing sink; and

(e) The designated changing area ~~((shall be))~~ is impervious to moisture and washable.

~~((4))~~ (3) Except for foster family homes, the provider ~~((shall use))~~ uses disposable diapers, a commercial diaper service, or reusable diapers supplied by the child's family. The provider shall place soiled diapers ~~((shall be placed))~~ without rinsing into separate, cleanable, covered containers provided with waterproof liners ~~((prior to))~~ before transport to laundry, parent, or acceptable disposal. The agency shall:

(a) Remove soiled diapers ~~((shall be removed))~~ from the facility at least daily~~((:))~~; and

(b) Post diaper-changing procedures ~~((shall be posted))~~ at the changing areas.

~~((5))~~ (4) The agency shall:

(a) Initiate the child's toilet training when readiness is indicated by the child and in consultation with the child's parents or placement agency~~((:))~~; and

(b) Place potty chairs, when in use, ~~((shall be located))~~ on washable, impervious surfaces.

~~((6))~~ (5) When the agency formula feeds infants under one year of age, the infants shall be on a formula feeding schedule agreed upon by the child's parent or parents, guardian, the placement agency, and the licensee. When the agency formula feeds severely and multiply-handicapped children, the children shall be on a schedule agreed upon by the children's physician and the facility's dietitian (see WAC 388-73-144(8)).

(a) Feedings prepared on the premises of the facility.

(i) Any child's formula provided by the parent or parents, guardian, placement agency, or licensee shall be in a ready-to-feed strength or require no preparation other than dilution with water at the ~~((day care))~~ facility.

(ii) If the container in which the feeding was purchased does not include a sanitized bottle and nipple, the agency shall transfer ready-to-feed formula from the bulk container to the bottle and nipple feeding unit in a sanitary manner in an area separate from diapering areas.

(iii) The agency shall refrigerate filled bottles if bottles are not used immediately and shall discard the contents ~~((shall be discarded))~~ if bottles are not used within twelve hours.

(iv) If bottles and nipples are re-used by the facility, the agency shall sanitize the bottles and nipples.

(v) When more than one bottle-fed child is in care, the ~~((agency))~~ licensee shall label the bottles with the child's name and date prepared. The agency shall pour milk for children requiring bottles but no longer on formula from the original container into sanitized, labeled bottles. The ~~((agency))~~ licensee shall only use sanitized nipples ~~((only))~~ on the bottles.

(b) Feedings brought to the child care facility.

(i) When the parent brings bottles into the facility, the parent shall ensure the bottles ~~((shall))~~ have a label showing the child's name.

(ii) The agency shall refrigerate bottles immediately upon their arrival at the facility and the agency shall discard the bottle contents if not used within twelve hours.

(c) Bottles shall not be propped. The agency shall provide semisolid foods for infants at between four and five months of age, upon consultation with the parent or placement agency, and/or with a physician when indicated. Infants too young or unable to sit in high chairs shall be held by the care giver in a semisitting position for all feedings unless medically contraindicated. Infants six months of age or over showing a preference for holding their own bottles may do so provided an adult remains in the room and within observation range. The agency shall take ~~((bottles))~~ a bottle from ~~((the))~~ a child when the child finishes feeding or when the bottle is empty. See also WAC 388-73-144.

~~((7))~~ (6) Cribs. This subsection applies to all agencies caring for infants.

(a)(i) ~~((Providers))~~ The licensee shall furnish single level infant cribs made of wood, metal, or approved plastic with secure latching devices. The licensee shall ensure such infant cribs ~~((shall also))~~ have ~~((no))~~ not more than two and

three-eighths inches space between vertical slats when used for infants under six months of age.

(ii) For infants, providers may use cribs not meeting the spacing requirement provided crib bumpers or other effective methods are used to prevent the infant's body from slipping between the slats.

(b) The licensee shall ensure infants' crib mattresses ((shall be)) are:

(i) Snug fitting to prevent the infant or severely and multiply-handicapped child from being caught between the mattress and crib side rails; and

(ii) Waterproof and easily sanitized.

~~((8))~~ (7) Children's activities.

(a) The ((facility)) agency shall provide infants and severely and multiply-handicapped children opportunities for:

(i) Exercise;

(ii) Large and small muscle development;

(iii) Crawling and exploring;

(iv) Sensory stimulation;

(v) Social interaction; and

(vi) Development of communication and self-help skills.

(b) The facility shall provide safe and suitable toys and equipment for the care of infants and severely and multiply-handicapped children.

~~((9))~~ (8) Nursing consultation.

(a) Except for facilities caring for severely and multiply-handicapped children requiring a registered nurse on staff or under contract, facilities licensed for the care of four or more infants shall arrange for regular consultation to include at least one monthly on-site visit by a registered nurse trained or experienced in the care of young children.

(b) In collaboration with the agency's administrative staff, the nurse shall advise the agency on the:

(i) Operation of the infant care program; and

(ii) Implementation of the child health program.

(c) The agency's written agreement with the registered nurse shall be available in the facility.

(d) The agency shall document the nurse's on-site visits.

(e) The agency shall post and make available in the facility the nurse's name and telephone number ((shall be posted or otherwise available in the agency)).

AMENDATORY SECTION (Amending Order 1336, filed 9/8/78)

WAC 388-73-200 Child-placing agency. The rules in WAC 388-73-200 through ~~((388-73-250))~~ 388-73-249 apply exclusively to licensing of a child-placing agency.

AMENDATORY SECTION (Amending Order 3418, filed 7/9/92, effective 8/9/92)

WAC 388-73-212 Foster care placements. (1) The agency shall, in planning for children, give due consideration to the best interest of the child, including but not limited to the following:

(a) A child's basic right to ~~((his or her))~~ the child's own home and family;

(b) The importance of skillful professional service to parents to help ~~((them))~~ the parents meet the child's needs in ~~((his or her))~~ the child's own home ~~((whenever))~~ when possible;

(c) The child's individual needs, ethnic background, religious background, family situation, and the wishes and participation of the child's parent; and

(d) The selection of a foster home that will provide for maximum development of the child's capacities and meet the child's individual needs. See WAC 388-73-044 for recruitment involving placement of American Indian children. ~~((The agency shall notify the DCFS licensor before placement of a child into a nontraditional home which may be of community concern.))~~

(2) The agency shall use a written intake study for each child and expectant mother as the basis for acceptance for foster care and related services.

(3) Every acceptance for care by an agency shall be based on ~~((well-planned.))~~ individual preparation of the child and the child's family and the expectant mother other than in emergent situations.

(4) Except in an emergency, a child shall be placed in foster care only with the written consent of the child's parents or under order of a court of competent jurisdiction. Such consent or order shall include authorization for medical care or emergency surgery.

(5) All foster homes and group care facilities used by child-placing agencies shall be licensed ~~((prior to))~~ before placing any children therein.

(6) ~~((An agency will))~~ The agency shall:

(a) Give sufficient information about ((the)) a child (especially behavioral and emotional problems) and the child's family to foster parents to enable ((them)) the foster parents to make an informed decision regarding whether or not to accept ((a)) the child in their home((--The agency shall));

(b) Inform the foster parents that this information is confidential and may not be shared((--The agency shall)); and

(c) Document the provision of this information in the child's file at the time of placement.

(7) The frequency of the caseworker's contacts with a foster child, the foster child's foster family, or with an expectant mother shall:

(a) Be determined by a casework plan reflecting their needs((;)) but ((shall))

(b) Not be less frequent than one in-home visit every ninety days. Each foster child and one or both foster parents shall be seen at each visit.

(8) The agency in preparing a child for discharge from placement shall follow the same basic steps as preparation for placement, but a child shall only be released ~~((only))~~ to:

(a) Parents, adoptive parents, guardians or other persons or agencies holding legal custody((;)) or ((to))

(b) A court of competent jurisdiction.

NEW SECTION

WAC 388-73-250 Child placing agency or individual—Adoption services. (1) WAC 388-73-250 through 388-73-278 apply to agencies seeking a license to perform adoption services as defined under WAC 388-73-012 and this chapter. The rules apply to agencies which are required to be licensed as defined in chapter 74.15 RCW. The agencies shall comply with chapters 26.33, 26.34, 49.60,

74.13, and 74.15 RCW regardless of whether the agencies receive state or federal funds.

(2) A child-placing agency providing adoption services shall meet the requirements of this section. The agency's demonstrated ability to comply with WAC 388-73-250 through 388-73-278 shall be prerequisites for certification to provide adoption services.

NEW SECTION

WAC 388-73-252 Definition. An agency includes any individual, firm, partnership, association, corporation, or facility in Washington state that performs any of the following shall be licensed pursuant to the requirements of chapter 388-73 WAC (An attorney providing only legal representation or a physician providing only health services and not providing any of the following is exempt from licensing.):

- (1) Assisting prospective adoptive parents, foreign or domestic, in the process of adopting a child;
- (2) Providing instruction to prospective adoptive parents, foreign or domestic, on the process of adoption;
- (3) Providing names of children, foreign or domestic, for possible adoption;
- (4) Making, arranging, or assisting in arrangements for adoption, foreign or domestic;
- (5) Accepting applications for adoption from prospective adoptive parents, foreign or domestic;
- (6) Conducting home studies for prospective adoptions, foreign or domestic, with the exception of court-appointed individuals as defined in chapter 26.33 RCW;
- (7) Accepting children, foreign or domestic, for placement;
- (8) Publishing, or causing to be published, for circulation or broadcast an advertisement of a child or children, foreign or domestic, offered or wanted for adoption or holding himself or herself out through such advertisement as having the ability to place, locate, dispose, or receive a child for adoption as required under RCW 26.33.400(2);
- (9) A person or agency as defined in RCW 26.33.020 (7) or (12), submitting preplacement or postplacement reports as defined under RCW 26.33.190 and 26.33.200;
- (10) Maintaining or representing a facility for children located in a foreign country if any of those children are offered for adoptive placement; or
- (11) Accepting a fee or donation for any of the above activities.

NEW SECTION

WAC 388-73-254 Licensure. (1) To qualify for a license an agency or person must have staff or provide for all of the staff functions listed in WAC 388-73-262 on either an employee or contractual basis, to include the functions of a director, supervisor, and caseworker.

- (2) The functions of the director and supervisor may be combined in one position.
- (3) The functions of supervisor and caseworker must be separated unless there is a second line review of home study reports.
- (4) An agency providing specialized adoption services, such as intercountry adoption, interstate adoption, and special needs adoptions, shall have supervisory staff having specialized training in the particular area and a written in-service

training program to train service staff in these specialized adoption services.

(5) An agency accepting for adoptive placement (with the exception of international adoptive placements) children having a special need (racial minority, developmental disability, emotional disability, etc.) shall:

- (a) Have a plan for active recruitment of families of the same race or ethnic category as the children; or
- (b) Be able to meet the children's other special needs.

NEW SECTION

WAC 388-73-256 Office space. Licensed persons and child placing agencies shall maintain a physical location and sufficient staff to allow for the provision of adoption and/or adoption related services to parents and children as defined under chapters 26.33 and 74.15 RCW, and chapter 388-73 WAC.

- (1) The agency shall be housed in offices adequately equipped to carry out its program and which provide privacy for interviews with parents and children.
- (2) The agency shall ensure that the office is identifiable to the public and includes a phone and mailing address.
- (3) The agency shall staff the office according to WAC 388-73-262 and 388-73-264.
- (4) The agency office shall maintain regular office hours.

NEW SECTION

WAC 388-73-258 Administration. (1) The agency shall have a board of directors who are unrelated to each other or to staff. The board shall:

- (a) Manage the affairs of the agency and establish policy and procedure as required under chapters 24.03 and 23B.08 RCW, respectively;
- (b) Ensure the continuous employment of a qualified executive director and delegate responsibility to that person for the administration and operation of the child placing agency; and
- (c) Complete a written annual evaluation of the executive director's performance, which is filed in the personnel file.
- (d) Ensure the board and staff members shall not seek special service or exemptions from their own agency for themselves, family or preferential treatment for anyone.
- (2) Executive director qualifications. The agency shall employ a director who must:
 - (a) Be at least twenty-five years of age and who is a mature person especially equipped by training, experience, and personal qualities to ensure an effective program, efficient administration, quality staff, and provide for staff development;
 - (b) Possess a thorough understanding of the program to be administered;
 - (c) Have demonstrated such leadership and supervisory ability as will ensure harmonious relationships and effective performance of agency personnel;
 - (d) Be a graduate of an accredited four-year college or university, with a degree in the field of social work, psychology, public administration, human services, or related field;
 - (e) Have four or more years experience working full time in adoption placement as defined under WAC 388-73-

252 and three years full-time experience in supervision and/or administration in a child placing agency as defined under WAC 388-73-014.

(3) The agency shall document the director's education and experience.

(4) If the director is also responsible for or performs the functions of a casework supervisor, the director shall meet casework supervisor qualifications as defined under WAC 388-73-262.

NEW SECTION

WAC 388-73-260 Financial operation. (1) An agency seeking an initial license shall:

(a) Submit an annual budget reflecting anticipated income by source and expenses by purpose, plus an accompanying balance sheet;

(b) Demonstrate that the agency has assured resources to carry out its defined purpose through its first year of operation, including possible contingencies such as placement disruptions.

(2) Each licensed adoption agency shall have its accounts analyzed annually by an independent certified public accountant who shall submit a report containing an opinion about the viability of the agency/the agency's ability to meet its obligations.

NEW SECTION

WAC 388-73-262 Adoption agency social service staff. (1) Casework supervisor qualifications.

(a) The agency shall employ casework/placement supervisor who has experience and demonstrated skills in each service area where supervision is provided and ability to teach and transmit knowledge which will ensure staff development and efficient administration of the casework program.

(b) The supervisor shall have a master's degree from an accredited college or university in social work, behavioral sciences, or closely related field. The supervisor must have two years full time or equivalent of postgraduate experience, under a supervisor in a licensed child placing agency.

(c) The agency shall ensure that the casework supervisor's undergraduate and graduate education are documented with copies of degrees or certified copies of transcripts and that the supervisor's experience is verified.

(2) Casework staff qualifications.

(a) Casework staff shall have a bachelor's degree in social work/social sciences, human services, counseling, or related field including field practicum in a social services settings.

The staff person performing home studies with preadoptive families shall have or receive training and experience which qualifies the person to discuss relevant adoption issues during the course of the home study.

(b) The agency shall ensure that a copy of the degree and resume of the staff persons qualifications is in the employee's personnel file.

NEW SECTION

WAC 388-73-264 Supervisory and staffing standards. (1) The supervisor shall:

(a) Guide, direct and evaluate casework staff.

(b) Provide supervision consisting of reading and discussion of cases, including the worker's case performance.

(i) For new employees, supervision must be face-to-face for an average of one or more hours per week for each twenty hours of employment or service;

(ii) For competent, experienced employees, supervision may be either face-to-face or electronic via computer and telephone combination.

(2) The agency shall maintain the following staffing standards:

(a) Supervisory staff shall be responsible for supervising not more than six full-time or ten part-time casework staff; and

(b) Casework staff shall be responsible for not more than:

(i) Twenty-five children. Each child, birth through seventeen years of age, counts as one case and includes parents, grandparents, siblings, and collateral persons such as counselors, or probation officers, etc. If sibling is already receiving services, such as placement services, that sibling will continue to count as a separate case; or

(ii) Twenty-five service cases. Each pregnant mother, any age, counts as one case and includes her parents, grandparents, aunts, uncles, siblings and the baby's father and the father's family. If sibling is already receiving services, such as placement services, that sibling will continue to count as a separate case; or

(iii) Fifty foster homes. Each applicant, reapplicant or each licensed home without a child counts as one-half of a case; or

(iv) Thirty adoptive homes. Each applicant, reapplicant or home with a child(ren) counts as one case each approved home without a child counts as a one-fourth of one case.

NEW SECTION

WAC 388-73-266 Standards for adoptive homes. (1) In the process of assessment, preparation and selection of adoptive parents, the agency shall be concerned primarily with evaluation by the adoptive applicants and the agency of the adoptive applicants' potential for parenting the child available for adoption.

(2) An agency providing adoption services shall, as a minimum, provide to adoptive applicants the following services:

(a) Information about the adoption process, agency policy and practices, legal procedures, types of children available, implications for parenting different types of children, and the availability of subsidy;

(b) Accompanying the application and prior to signing a contract for services, the agency shall provide the applicants with a written statement explaining the specific services to be performed by the agency related to the child placement or adoption for which the fees are assessed;

(c) An adoptive home study in which agency staff and applicants collaboratively assess the applicants' appropriateness to be adoptive parents, and the type of child or children for which the applicants are best suited;

(d) Preparation for placement of a specific child, with preparation including review of all available social, medical, and psychological records of the child and birth family, and a discussion of the likely implications of the child's background for the child's adjustment in the adoptive family;

(e) Re-evaluation of the applicants' appropriateness for adoption on each request for an additional adoptive placement; and

(f) Document the provision of these services in the adoptive home's file.

NEW SECTION

WAC 388-73-268 Interstate compact on the placement of children (ICPC) (see chapter 388-71 WAC). (1) The agency shall ensure that all interstate placements of children shall be in accordance with the interstate compact on children (chapter 26.34 RCW). For a child in the care of a crisis residential center and who has legal residence outside the state of Washington and who refuses to return home, provisions of the interstate compact on juveniles as described under chapter 13.24 RCW shall apply.

(2) When an in-state or out-of-state agency plans to send a child out of or into Washington, the agency must first comply with the requirements of the Washington state ICPC before the child crosses state lines.

(3) Before initiating placement plans with an out-of-state agency the Washington agency shall verify that the out-of-state agency is currently licensed in its home state. The Washington agency must have on file the following:

(a) Copy of a written agreement for services to be provided by the Washington and out-of-state agency and agreements for the responsibility of financial, medical, transportation, and social services should the placement disrupt prior to finalization;

(b) Name, address, and phone number of the out-of-state agency;

(c) The home study of the home where the child is to be placed; and

(d) Legal documents showing authority to place the child.

NEW SECTION

WAC 388-73-270 International placement of children. (1) An agency shall ensure that all international placement of children shall be in accordance with the interstate compact on children (chapter 26.34 RCW), except for children whose adoptions are finalized in the children's country of origin. When an in-state or out-of-state agency plans to send a child out of or bring a child into Washington, the agency must first comply with the requirements of the Washington state ICPC before the child crosses state or international lines, unless the adoption is finalized in the country of origin. (See chapter 13.14 and 26.34 RCW and chapter 388-71 WAC.)

(2) An agency shall ensure that an international placement of a child complies with requirements of the U.S. Immigration and Naturalization Service and the U.S. State Department.

(3) An agency or person working internationally shall abide by the laws and/or regulations of the child's country of origin. All adoptive applicants must meet the laws and/or

requirements of the child's country of origin relating to adoption.

(4) Washington agencies shall document that foreign agencies, persons, or orphanages are licensed or legally authorized by their country to perform adoption services. This documentation must follow WAC 388-73-270 (1) through (3) and (6) if applicable. Each Washington agency shall have an English-language translation of such documents/statutes must be on file at the agency.

(5) An agency shall maintain an English-language translation of any written agreements entered into with foreign governments on file at the placement agency. Such agreements shall conform to the legal requirements of the foreign nation involved, as well as with the laws and regulations of the United States and state of Washington.

(6) If a Washington agency is working in conjunction with another U.S. child placing agency which provides international placements, the Washington agency shall have a copy of the other agency's license on file.

(7) An agency performing international adoption shall:

(a) Abide by all federal and state laws and immigration regulations; and

(b) Have on file written documentation that:

(i) All available information on the child has been provided to the adoptive parent; and

(ii) Expectations for post-placement reports, as required by the country of origin, if any, are met.

NEW SECTION

WAC 388-73-272 Child's medical information. (1) Every agency securing a home for, or otherwise caring for a minor child for the purpose of adoption shall transmit to the prospective adoption parent before placement a complete medical report containing all available information concerning the mental, physical, and sensory handicaps of the child. The agency shall ensure the report:

(a) Does not reveal the identity of the birth parent of the child, but

(b) Includes any available mental or physical health history of the birth parent that needs to be known by the adoptive parent to:

(i) Facilitate proper health care for the child; or

(ii) Assist the adoptive parent in maximizing the developmental potential of the child.

(2) Where available, the information provided shall include a review of the birth family's and the child's previous medical history, including the child's X-rays, examinations, hospitalizations, and immunizations.

(3) The agency shall give all medical histories on a child's medical and family background form (DSHS 13-004(X)) as developed by the department and required by RCW 26.33.350.

NEW SECTION

WAC 388-73-274 Adoptive home recruitment and applications. (1) On receipt of an adoption application, the child placing agency shall provide an applicant with a written statement which explains in specific detail:

(a) The amount of any fees, charges, and expenses of any kind to be paid to the agency; and

(b) A listing of other costs to be incurred by the applicants.

(2) At a minimum, the agency shall ensure the statement sets forth a specific description of the services to be performed by the agency related to:

(a) The placement or the adoption of the child;

(b) Any additional expense that the applicants will be assessed; and

(c) The justification for such additional expenses.

(3) An agency's fees are not refundable unless stated in a written contract with the agency.

NEW SECTION

WAC 388-73-276 Adoptive home studies. (1) In approving an adoptive home, an agency shall ensure that:

(a) The preplacement report includes the concerns, issues and requirements specified in RCW 26.33.190, Preplacement report; and

(b) The homestudy process includes at least one home visit.

(2) Agencies shall inform an applicant in writing as to the acceptance or denial of the applicant's application. This notice shall be sent in a timely manner.

NEW SECTION

WAC 388-73-278 Adoptive home placement services.

(1) The agency shall:

(a) Protect the child from unnecessary separation from the child's natural parents when the natural parents are capable of successfully fulfilling their parental role or can be helped to do so;

(b) Only make an adoptive placement when the child is freed for adoption by action of a court of competent jurisdiction giving the agency authority to place such child for adoption and to consent to the child's adoption as provided by chapter 26.33 RCW.

(2) The agency shall evaluate potential adoptive parents for a child in relation to the adoptive parents':

(a) Capacity and readiness for parenting; and

(b) Emotional and physical health and ability to meet the physical, social, emotional, educational, and cultural needs of the child.

(3) An agency, placing a child for whom the agency feels that continued contact with the child's birth family is in the child's best interest, shall evaluate the adoptive family's willingness to have the child maintain contact with members of his or her birth family.

(4) An agency shall file preplacement reports with the court as required by RCW 26.33.180 through 26.33.230.

(5) Agencies shall ensure that the child's best interests are met by requiring that a number of factors are taken into consideration when making adoptive placement decisions:

(a) When making a child adoptive placement decision, the agency shall emphasize the best interests of the child, taking into account the particular child, parents and circumstances. The agency shall take into consideration the following factors:

(i) Relationship of family to child;

(ii) Sibling placement status;

(iii) Physical and emotional needs of child;

(iv) Age;

(v) Sex;

(vi) Race;

(vii) Ethnic and cultural identity;

(viii) Placement background;

(ix) Availability of placement resources for timely placement; and

(x) Continuity and stability of child's foster care placement (if any) and child's psychological attachment to foster family.

(b) The agency shall make all child adoptive placement decisions on a case-by-case basis to take into account the particular child, adoptive parents, and circumstances.

(6) The adoptive parent or parents shall sign one copy of the child's medical and social background history report, signifying receipt of the information. The agency shall retain this signed copy in the child's permanent record.

(7) Except for inter-country adoptions, the agency shall place a minority race children whose case plan is adoption into a family of the same racial background as the child except:

(a) That if both the agency's own recruitment effort and registration with the Washington adoption resource exchange fail to identify a suitable family within ninety days, the agency may consider placing a child with a family of a different racial background; or

(b) Where a child was placed into a foster family of a different racial background before adoption was considered for the child, adoption by the foster family may be considered if a strong attachment has developed between the foster parents and the child and the family can describe specific actions it will take to ensure the child's racial identification is maintained and enhanced; or

(c) Where the child's birth parent or parents make a specific written request that the child be placed in a family of a racial background different from that of the child, the agency shall consider this request. See WAC 388-73-044 for placement involving an American Indian child.

(8) Before finalization of the adoption the agency shall visit the adoptive home of all adoptive placements at least once in the first thirty days and an additional face-to-face visit each sixty days thereafter until the adoption is finalized. Upon filing of the petition for adoption, the agency shall make recommendation to the court on the advisability of finalizing the adoption.

(9) The agency shall be available for information and referral services to the adoptive family after finalization of the adoption.

(10) Upon finalization of the adoption, the agency shall ensure that all adoption records shall be confidential and shall not be thereafter open to inspection by any person except upon order of the court for good cause shown, or except by using the procedure described in RCW 26.33.343.

(11) In the event the agency closes, the agency shall make arrangements for the permanent retention of the child's adoption records.

(12) The agency shall maintain a permanent confidential record of each person for whom it has accepted permanent custody. This record shall contain all available identifying legal, medical, and social information. Access to the identifying information shall not be given without a court order if the person has been adopted. In the event the agency closes, the agency shall make arrangements for the

permanent retention of these records and will inform the division of children and family services adoption program manager.

AMENDATORY SECTION (Amending WSR 92-08-056, filed 3/26/92, effective 4/26/92)

WAC 388-73-304 Capacity. (1) A family home for developmentally disabled persons shall not be licensed for more than four persons.

(2) A foster family home for children shall not be licensed for more than four foster children, nor more than a total of six children to include the foster parents' own or adopted minor children residing in the home (~~(except that)~~). A foster family home may be a one-parent home.

(3) "A large foster home" (where there are at least two adults providing care) may be licensed for (five or) as many as six foster children, such number to be reduced by the number of the foster parents' own or adopted children residing in the home (~~(a)~~). A large foster home must have two adult caretakers residing at the foster home.

(4) No home designated by the department as a "receiving home" shall be licensed for more than six foster children. Such number shall be reduced by the number of the foster parents' own or adopted minor children residing in the home (~~(b)~~).

(5) A home otherwise meeting the standards but having sufficient children of their own and/or adopted children to meet or exceed the capacity limit may be licensed for the care of at least one child or single family of children.

~~((3))~~ (6) A foster family home for expectant mothers shall not be licensed for more than three expectant mothers.

~~((4))~~ (7) A foster family home for children shall not be licensed for more than two children under two years of age, such number to be reduced by the number of licensee's own children of such age.

~~((5))~~ (8) A family home shall not be licensed for the care of more than three persons suffering mental or physical handicaps of such severity as to require nursing care, and then licensed only if the:

(a) Licensee is qualified by training and/or experience to provide proper care; and

(b) Person's treatment is under the supervision of a physician.

~~((6))~~ (9) A foster family shall not be licensed for the care of more than two nonambulatory persons whether that condition is due to age or physical or mental impairment.

~~((7))~~ (10) A foster family home functioning as a crisis residential center or specialized receiving home shall not be licensed for the care of more than four children in placement. There shall not be more than six children residing on the premises, including the foster parents' own minor children. There shall not be more than two children requiring crisis residential care in foster family care at the same time. All such homes shall be two-foster-parent homes and one of the foster parents shall not be employed outside the home.

~~((8))~~ (11) A foster family home may, for purposes of respite care, exceed the foster family home licensed capacity by receiving additional foster children.

(a) This section does not authorize care in excess of subsection ~~((4))~~ (7) or ~~((6))~~ (9) of this section relating to the care of infants or nonambulatory children.

(b) Exceeding capacity under authority of this section will only be possible ~~((so))~~ as long as ~~((the requirements of))~~ WAC 388-73-310 (Fire safety), 388-73-108 (Bedrooms), and 388-73-054 (Client records and information—All agencies) are complied with for the larger number of children in care.

(c) The licensee shall neither permit such an excess in child care (shall be permitted not):

(i) More than three times in any calendar year (and);
nor

(ii) For (not) more than two weeks at a time.

(d) A foster home providing such care ~~((pursuant to this))~~ under subsection (11) of this section shall not exceed its licensing capacity by more than twice the number of persons for which the foster family has been licensed.

(e) Prior approval shall be obtained from:

(i) The placing agency, if any ~~((and if not));~~ or

(ii) The person's or persons' parents or guardian or responsible relative.

NEW SECTION

WAC 388-73-511 Ill children in day treatment programs. (1) The facility shall observe each child for signs of illness each day.

(2) The facility shall give an ill, a tired, or an upset child a chance to rest in a quiet area under frequent observation.

(3) An ill child need not be discharged home as a routine basis, and the facility may care for the ill child during a minor illness at the joint discretion of the parent and licensee.

(4) In the case of more severe illness, the facility shall separate the child from the other children and properly attend the child until an arrangement is made for the child's return home.

NEW SECTION

WAC 388-73-513 Play areas in day treatment programs. (1) The day treatment facility shall have an appropriately equipped, safe outdoor play area directly adjoining the indoor facilities or which can be reached by a safe route and method approved by the department. The playground shall contain a minimum of seventy-five square feet per child. If programming is such that only a portion of the group uses the playground at one time, the size may be reduced correspondingly. The outdoor play area shall be fenced. The fence shall be at least four feet in height.

(2) The day treatment facility shall provide adequate indoor play space. Play, dining, and napping may be carried on in the same room (exclusive of bathrooms, kitchens, hallways, and closets), provided the room is of sufficient size, and programming is such that usage of the room for one purpose does not interfere with the usage for the room's other purposes. If cots and mats are removed when not in use, a minimum of thirty-five square feet per child is required. For children requiring cribs, the area used for play and napping shall contain a minimum of fifty square feet per child.

NEW SECTION

WAC 388-73-516 Operating hours—Staff on premises. (1) The day treatment facility shall specify operating hours of the program on the application for licensing and shall post program hours in a prominent place at the facility.

(2) The facility shall post a listing of staff and volunteers on duty at a prominent place within the facility. During the operating hours set forth in the application, a person shall not have unmonitored access to the children placed within the care of the agency who is not a director, employee, or volunteer, other than a parent or custodian of a child under care (who may have unmonitored access to the parent's or custodian's own child or children), an employee of the department, or a law enforcement person.

NEW SECTION

WAC 388-73-522 Off-grounds trips. Except in the event of a medical emergency, the licensee or an employee or volunteer of the agency shall not remove a child from the premises of a day treatment program without the express written consent of the child's parent or custodian.

NEW SECTION

WAC 388-73-524 Information to parents—Day treatment facilities. (1) The facility shall provide the parent with the following information in written form:

- (a) A typical daily schedule of activities;
 - (b) Admission requirements and enrollment procedures;
 - (c) Hours of operation;
 - (d) Meals and snacks served;
 - (e) Fees and payment plan;
 - (f) Regulations concerning sick children;
 - (g) Transportation arrangements and arrangements for trips, disciplinary policies, religious activities (if any), and action taken in the event of a medical emergency;
 - (h) Policies regarding the administration of medication;
 - (i) Schools served and transportation available to the schools;
 - (j) Nondiscrimination; and
 - (k) If licensed for young children, policy on diapers and the labeling of foods.
- (2) The child's parent shall have free access to all areas of day treatment facilities used by the parent's child.

AMENDATORY SECTION (Amending WSR 92-08-056, filed 3/26/92, effective 4/26/92)

WAC 388-73-606 Required positions. ~~((An agency))~~ A licensee shall provide staff in accordance with the following requirements:

- (1) A director responsible for the general management and administration of the agency's program. This person shall:
 - (a) Be twenty-one years of age or older;
 - (b) Possess ability to understand the role of the agency in meeting the needs of children;
 - (c) Work with representatives of appropriate agencies;
 - (d) Have a bachelor's degree in a social science or closely allied field; or
 - (e) Have had a minimum of two years' experience:
 - (i) Working in a group care facility; or

(ii) As a foster parent with a letter of recommendation from the licensing agency and/or supervising agency.

(2) Child care staff whose primary duties are the care, supervision, and guidance of children. Such staff shall be at least eighteen years of age. Staff under twenty-one years of age shall be under the immediate supervision of staff at least twenty-one years of age.

~~((In addition, in crisis residential centers, no less than fifty percent of the child care staff shall have completed at least two years of college and one year of working with children in a group setting. Experience may be substituted for education on a year for year basis. A bachelor of arts degree in behavioral or social science may be substituted for experience. The remaining child care staff shall have at least a high school diploma (or equivalent) and one year of successful experience as a foster family parent for three or more children or working with children in a group setting. Two years of college may be substituted for the required experience.))~~

(a) Except for crisis residential centers, facilities for severely and multiply-handicapped children, and juvenile detention facilities~~((s))~~ during the waking hours of the children, the licensee shall ensure there ~~((shall be))~~ is at least one child care staff member on duty for every eight children or major fraction (five or more) of such number of children on the premises.

(i) For juvenile detention facilities, the licensee shall ensure there ~~((shall be))~~ is a minimum of one child care staff on duty for every ten children in care during the waking hours of the children.

(ii) The director and support and maintenance staff may temporarily serve as child care staff when not involved in other duties if appropriately trained and involved in ongoing training, provided the required number of child care staff is maintained.

(b) Except for crisis residential centers~~((, whenever))~~ when more than eight children are on the premises, at least two adults (including at least one child care staff) shall be on duty.

(i) During nighttime hours, "on duty" staff may include staff sleeping in the group care facility and available to the children.

(ii) During sleeping hours, there shall be at least one adult in proximity to the children.

(c) When only one child care staff is on duty, ~~((there shall be))~~ the licensee shall ensure a second person is on call.

(3) The ~~((agency))~~ licensee shall have relief staff to enable all staff to have the equivalent of two days off in one week.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-73-213	Certification to provide adoption services.
WAC 388-73-214	Adoption procedures.
WAC 388-73-216	Adoption placements.
WAC 388-73-400	Day care providers.
WAC 388-73-402	Maximum hours—Rest periods.

- WAC 388-73-403 Operating hours—Staff on pre-
mises.
- WAC 388-73-404 Ill children.
- WAC 388-73-406 Nap and sleep equipment.
- WAC 388-73-408 Evening and nighttime care.
- WAC 388-73-409 Off-grounds trips.
- WAC 388-73-410 Information to parents—Day
care facilities.
- WAC 388-73-412 Toddlers and preschool children.
- WAC 388-73-414 Attendance—Mini-day care
centers.
- WAC 388-73-430 Capacity—Limitations on ages
and numbers—Mini-day care
centers.
- WAC 388-73-432 Staffing—Mini-day care pro-
gram.
- WAC 388-73-434 Qualifications of licensee—
Mini-day care.
- WAC 388-73-436 Qualifications of child care
staff—Mini-day care.
- WAC 388-73-438 Program and equipment—Mini-
day care.
- WAC 388-73-440 Play areas—Mini-day care.
- WAC 388-73-510 Ill children.
- WAC 388-73-512 Play areas.

WSR 95-01-001
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF HEALTH
(By the Code Reviser's Office)
[Filed December 7, 1994, 1:10 p.m.]

WAC 246-854-030, proposed by the Department of Health in WSR 94-11-093, appearing in issue 94-11 of the State Register, which was distributed on June 1, 1994, is withdrawn by the code reviser's office 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 95-01-002
WITHDRAWAL OF PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
(By the Code Reviser's Office)
[Filed December 7, 1994, 1:12 p.m.]

WAC 392-196-011, proposed by the Superintendent of Public Instruction in WSR 94-11-120, appearing in issue 94-11 of the State Register, which was distributed on June 1, 1994, is withdrawn by the code reviser's office 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 95-01-010
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed December 8, 1994, 4:11 p.m.]

Original Notice.

Title of Rule: WAC 388-49-190 Household concept.

Purpose: A person living with a spouse or child of their own can be a separate food stamp household from the person's parent when the person, spouse, and/or child purchase and prepare meals separate from the parent. A household member must be an adult to maintain parental control. Ineligible students are treated as nonhousehold members rather than ineligible household members. A group of persons living together must be one household when they purchase or prepare meals together.

Statutory Authority for Adoption: RCW 74.04.050 and 74.04.510.

Statute Being Implemented: RCW 74.04.050 and 74.04.510.

Summary: Clarifies that a person living with a spouse in the home of a parent can be a separate food stamp household when the person and spouse purchase and prepare meals separate from the parents. It also clarifies that ineligible students are treated as nonhousehold members.

Reasons Supporting Proposal: Changes household concept to include a category for a person living with a spouse and parents. Ineligible students are treated as nonhousehold members rather than ineligible household members.

Name of Agency Personnel Responsible for Drafting, Implementation Enforcement: Wendy Forslin, Division of Income Assistance, 438-8323.

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

Rule is necessary because of federal law, P.L. 103-66, AN 94-39, and 7 CFR 273.1(b).

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

Proposal Changes the Following Existing Rules: See above.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on February 21, 1995, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Office of Vendor Services by February 7, 1995, TDD (206) 753-4595, or SCAN 234-4595.

Submit Written Comments to: Dewey Brock, Chief, Office of Vendor Services, Mailstop 45811, Department of Social and Health Services, 14th Avenue and Franklin Street, Olympia, Washington 98504, Identify WAC Numbers, FAX (206) 586-8487, by February 14, 1995.

Date of Intended Adoption: February 22, 1995.

December 8, 1994
Dewey Brock, Chief
Office of Vendor Services

PROPOSED

AMENDATORY SECTION (Amending Order 3762, filed 7/27/94, effective 9/1/94)

WAC 388-49-190 Household concept. (1) The department shall consider the following as households:

- (a) A person living alone;
- (b) A group of persons living together and purchasing ~~((and))~~ or preparing meals together;
- (c) A person living with others and purchasing and preparing meals separate from the others;
- (d) A permanently disabled and elderly person unable to prepare meals provided the:
 - (i) Person's spouse shall be included in the household; and

- (ii) Income of other individuals, except the person's spouse, living with the person does not exceed one hundred sixty-five percent of the poverty level.

- (e) A person ~~((, spouse,))~~ and child living with the person's parent when the person ~~((, spouse,))~~ and child purchase and prepare meals separate from the parent;

- (f) A person and spouse living with the person's parent when the person and spouse purchase and prepare meals separate from the parent;

- (g) A person twenty-two years of age or older living with a parent when the person purchases and prepares meals separate from the parent; or

- ~~((g))~~ (h) A person, living with a sibling, who purchases and prepares meals separate from the sibling when the sibling is not under parental control of the person.

(2) The department shall consider the following as households regardless of the purchase and prepare arrangements:

- (a) A parent and the parent's natural, adoptive, or stepchild twenty-one years of age or younger;

- (b) A person seventeen years of age or younger ~~((who is))~~ under parental control of ~~((a member of the household))~~ any adult other than their parent and the ~~((person))~~ adult who is maintaining the control;

- ~~((b) A parent and the parent's natural, adoptive, or stepchild twenty-one years of age or younger;))~~ or

- (c) A person and the person's spouse.

(3) The department shall consider the following persons living with the household as nonhousehold members who, if otherwise eligible, may qualify as a separate household except ineligible students:

- (a) Roomers;

- (b) Live-in attendants; ~~((or))~~

- (c) Ineligible students; or

- (d) Persons sharing living quarters with the household who purchase food and prepare meals separately from the household.

(4) The department shall consider the following persons living with the household as ineligible household members:

- (a) Persons disqualified for intentional program violation;

- (b) Persons disqualified because of noncompliance with work requirements as described under WAC 388-49-360;

- (c) Persons who are ineligible aliens;

- (d) Persons disqualified for failure to apply for or provide a Social Security number; or

- (e) ~~((Persons who are ineligible students; or~~

~~((g))~~ Persons who fail to sign the application attesting to their citizenship or alien status.

WSR 95-01-011
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Public Assistance)
 [Filed December 8, 1994, 4:12 p.m.]

Original Notice.

Title of Rule: WAC 388-49-260 Nonhousehold and ineligible household members.

Purpose: Clarifies that ineligible students are treated as nonhousehold members except that they cannot be considered for separate eligibility because they are ineligible for food stamp benefits.

Statutory Authority for Adoption: RCW 74.04.050.

Statute Being Implemented: RCW 74.04.050.

Summary: Clarifies that ineligible students are treated as nonhousehold members except that since they are ineligible for benefits, they cannot be considered for separate eligibility.

Reasons Supporting Proposal: Ineligible students are treated the same as nonhousehold members. Ineligible students need to be defined as nonhousehold members rather than an ineligible household member.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Wendy Forslin, Division of Income Assistance, 438-8323.

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

Rule is necessary because of federal law, 7 CFR 273.1(b).

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

Proposal Changes the Following Existing Rules: See above.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. This revision impacts the food stamp program and does not affect small business. This is not a change in policy. The revision clarifies that ineligible students are treated as nonhousehold members.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on February 21, 1995, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Office of Vendor Services by February 7, 1995, TDD (206) 753-4595, or SCAN 234-4595.

Submit Written Comments to: Dewey Brock, Chief, Office of Vendor Services, Mailstop 45811, Department of Social and Health Services, 14th Avenue and Franklin Street, Olympia, Washington 98504, Identify WAC Numbers, FAX (206) 586-8487, by February 14, 1995.

Date of Intended Adoption: February 22, 1995.

December 8, 1994

Dewey Brock, Chief
Office of Vendor Services

PROPOSED

AMENDATORY SECTION (Amending Order 2662, filed 8/2/88)

WAC 388-49-260 Nonhousehold and ineligible household members. (1) For nonhousehold members, the department shall:

(a) Consider separate household eligibility for those persons defined in WAC 388-49-190(3) except for ineligible students; and

(b) Not consider nonhousehold members when determining:

- (i) Household size,
- (ii) Income eligibility, or
- (iii) Benefit level(~~;~~ and

~~(c) Consider the income and resources of nonhousehold members available to the household per WAC 388-49-410 and 388-49-485).~~

(2) For ineligible household members, the department shall:

(a) Not authorize food stamps for those persons (~~defined in~~) described under WAC 388-49-190(4); and

(b) Not consider ineligible household members when determining income eligibility or benefit levels of the household(~~;~~ and

~~(c) Consider the income and resources of ineligible household members per WAC 388-49-410, 388-49-420, and 388-49-480).~~

minor child living with a spouse or own child is not under parental control.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Wendy Forslin, Division of Income Assistance, 438-8323.

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

Rule is necessary because of federal law, 7 CFR 273.9(c) and 7 CFR 273.1(b).

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

Proposal Changes the Following Existing Rules: See above.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on February 21, 1995, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Office of Vendor Services by February 7, 1995, TDD (206) 753-4595, or SCAN 234-4595.

Submit Written Comments to: Dewey Brock, Chief, Office of Vendor Services, Mailstop 45811, Department of Social and Health Services, 14th Avenue and Franklin Street, Olympia, Washington 98504, Identify WAC Numbers, FAX (206) 586-8487, by February 14, 1995.

Date of Intended Adoption: February 22, 1995.

December 8, 1994

Dewey Brock, Chief
Office of Vendor Services

WSR 95-01-012
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed December 8, 1994, 4:14 p.m.]

Original Notice.

Title of Rule: WAC 388-49-020 Definitions.

Purpose: Adds foster care adults to the "boarder" definition. Clarifies that ineligible students are treated as nonhousehold members rather than ineligible household members. Under parental control pertains to when a child seventeen years of age or younger is living with an adult that is not the child's parent. Adds that a child living with a spouse or child of their own is not under parental control.

Statutory Authority for Adoption: RCW 74.04.050 and 74.04.510.

Statute Being Implemented: RCW 74.04.050 and 74.04.510.

Summary: Clarifies that foster care can pertain to adults as well as children. Clarifies that ineligible students are treated as nonhousehold members. Adds to "under parental control" definition that determination is made when a minor child resides with an adult other than their parent. Adds that a minor child living with a spouse or child of their own is not under parental control.

Reasons Supporting Proposal: Changes "boarder" definition to include foster adults. Deletes ineligible students from the ineligible household member definition and adds it to the nonhousehold member definition. Changes under parental control by only making this determination when a minor child resides with an adult other than a parent. A

AMENDATORY SECTION (Amending Order 3787, filed 9/28/94, effective 10/29/94)

WAC 388-49-020 Definitions. (1) "Administrative disqualification hearing" means a formal hearing to determine whether or not a person committed an intentional program violation.

(2) "Administrative error overissuance" means any overissuance caused solely by:

(a) Department action or failure to act when the household properly and accurately reported all the household's circumstances to the department; or

(b) For households determined categorically eligible under WAC 388-49-180(1), department action or failure to act which resulted in the household's improper eligibility for public assistance, provided a claim can be calculated based on a change in net food stamp income and/or household size.

(3) "Administrative law judge" means an employee of the office of administrative hearings empowered to preside over adjudicative proceedings.

(4) "Aid to families with dependent children (AFDC) program" means the federally funded public assistance program for dependent children and their families authorized under Title IV-A of the Social Security Act.

(5) "Allotment" means the total value of coupons a household is certified to receive during a calendar month.

(6) "Application process" means the filing and completion of an application form, interview or interviews, and verification of certain information.

(7) "Authorized representative" means an adult nonhousehold member sufficiently aware of household circumstances designated, in writing, by the head of the

household, spouse, or other responsible household member to act on behalf of the household.

(8) "Beginning months" means the first month the household is eligible for benefits, and the month thereafter. The first beginning month cannot follow a month in which a household was certified eligible to receive benefits.

(9) "Benefit level" means the total value of food stamps a household is entitled to receive based on household income and circumstances.

(10) "Boarder" means an individual residing with the household, except a person described under WAC 388-49-190 (2)(a), (b), or (c) ~~(-or-(d))~~ who is a person:

(a) ~~(Person)~~ Paying reasonable compensation to the household for lodging and meals; or

(b) In foster (child) care.

(11) "Budget month" means the first month of the monthly reporting cycle; the month for which the household reports their circumstances.

(12) "Certification period" means definite period of time within which the household has been determined eligible to receive food stamps.

(13) "Child" means someone seventeen years of age or younger, and under parental control.

(14) "Collateral contact" means oral contact in person or by telephone with someone outside of the household to confirm the household's circumstances.

(15) "Commercial boarding home" means an enterprise offering meals and lodging for compensation with the intent of making a profit.

(16) "Department" means the department of social and health services.

(17) "Dependent care deduction" means costs incurred by a household member for care provided by a nonhousehold member when the care is necessary for a household member to seek, accept, or continue employment, or attend training or education preparatory to employment.

(18) "Destitute household" means a household with a migrant or seasonal farmworker with little or no income at the time of application and in need of immediate food assistance.

(19) "Disabled person" means a person who meets one of the following criteria:

(a) Receives Supplemental Security Income (SSI) under Title XVI of the Social Security Act;

(b) Receives disability or blindness payments under Titles I, II, XIV, or XVI of the Social Security Act;

(c) Is a veteran:

(i) With service-connected or nonservice-connected disability rated or paid as total under Title 38 of the United States Code (USC); or

(ii) Considered in need of regular aid and attendance, or permanently housebound under Title 38 of the USC.

(d) Is a surviving:

(i) Spouse of a veteran and considered in need of aid and attendance, or permanently housebound; or

(ii) Child of a veteran and considered permanently incapable of self-support under Title 38 of the USC;

(e) A surviving spouse or child of a veteran and:

(i) Entitled to compensation for service-connected death or pension benefits for a nonservice-connected death under Title 38 of the USC; and

(ii) Has a disability considered permanent under section 221(i) of the Social Security Act.

(f) Receives disability retirement benefits from a federal, state, or local government agency because of a disability considered permanent under section 221(i) of the Social Security Act;

(g) Receives an annuity payment as part of the Railroad Retirement Act of 1974 under:

(i) Section 2 (a)(1)(iv) and is determined eligible to receive Medicare by the Railroad Retirement Board; or

(ii) Section 2 (a)(1)(v) and is determined disabled based on the criteria under Title XVI of the Social Security Act.

(h) Is a recipient of disability-related medical assistance under Title XIX of the Social Security Act.

(20) "Documentary evidence" means written confirmation of a household's circumstances.

(21) "Documentation" means the process of recording the source, date, and content of verifying information.

(22) "Elderly person" means a person sixty years of age or older.

(23) "Eligible food" means:

(a) For a homeless food stamp household, meals prepared and served by an authorized homeless meal provider; or

(b) For a blind or a disabled resident, meals prepared and served by a group living arrangement facility.

(24) "Entitlement" means the food stamp benefit a household received including a disqualified household member.

(25) "Equity value" means fair market value less encumbrances.

(26) "Expedited services" means providing food stamps within five calendar days to an eligible household which:

(a) Has liquid resources of one hundred dollars or less; and

(b) Has gross monthly income under one hundred fifty dollars; or

(c) Has combined gross monthly income and liquid resources which are less than the household's current monthly rent or mortgage and either the:

(i) Standard utility allowance as set forth in WAC 388-49-505; or

(ii) Actual utility costs, whichever is higher; or

(d) Includes all members who are homeless individuals; or

(e) Includes a destitute migrant or seasonal farmworker.

(27) "Fair hearing" means an adjudicative proceeding in which the department hears and decides an applicant/recipient's appeal from the department's action or decision.

(28) "Fair market value" means the value at which a prudent person might sell the property if the person was not forced to sell.

(29) "Food coupon" means food stamps and the two terms are interchangeable.

(30) "Food coupon authorization (FCA) card" means the document issued by the local or state office to authorize the allotment the household is eligible to receive.

(31) "Food stamp monthly reporting cycle" means the three-month reporting cycle consisting of the budget month, the process month, and the payment month.

(32) "Gross income eligibility standard" means one hundred thirty percent of the federal poverty level for the forty-eight contiguous states.

(33) "Group living arrangement" means a public or private nonprofit residential setting which:

(a) Serves not more than sixteen blind or disabled residents as defined under WAC 388-49-020(19); and

(b) Is certified by the appropriate state agency under section 1616(e) of the Social Security Act.

(34) "Head of household" means the person designated by the household to be named on the case file, identification card, and FCA card.

(35) "Household employment representative" means:

(a) The household member selected as the head of household for employment and training purposes and voluntary quit provisions. Selection is limited to households with:

(i) An adult parent of children, of any age, living in the household; or

(ii) An adult who has parental control over children, under eighteen years of age, living in the household; or

(b) The principal wage earner if no selection is made by the household, or the household is not entitled to make a selection.

(36) "Home visit" means a personal contact at the person's residence by a department employee. The home visit shall be scheduled in advance with the household.

(37) "Homeless individual" means a person lacking a fixed and regular nighttime residence or a person whose primary nighttime residence is a:

(a) Supervised shelter designed to provide temporary accommodations;

(b) Halfway house or similar institution providing temporary residence for persons needing or coming out of institutionalization;

(c) Temporary accommodation in the residence of another person; or

(d) Place not designed for, or ordinarily used as, a regular sleeping accommodation for humans.

(38) "Homeless meal provider" means a public or private nonprofit establishment (for example, soup kitchen, temporary shelter, mission, or other charitable organizations) feeding homeless persons, approved by the division of income assistance (DIA) and authorized by food and nutrition service (FNS).

(39) "Household" means the basic client unit in the food stamp program.

(40) "Household disaster" means when food coupons, food purchased with food coupons, or food coupon authorization cards are destroyed by a natural disaster, such as flood, fire, etc.

(41) "Identification card" means the document identifying the bearer as eligible to receive and use food stamps.

(42) "Inadvertent household error overissuance" means any overissuance caused by either:

(a) Misunderstanding or unintended error by a household:

(i) Not determined categorically eligible under WAC 388-49-180(1); or

(ii) Determined categorically eligible under WAC 388-49-180(1) if a claim can be calculated based on a change in net food stamp income and/or household size; or

(b) Social Security Administration action or failure to take action which resulted in the household's categorical eligibility, if a claim can be calculated based on a change in net food stamp income and/or household size.

(43) "Ineligible household member" means the member excluded from the food stamp household because of:

(a) Disqualification for intentional program violation;

(b) Failure to apply for or provide a Social Security number;

(c) Failure to comply with work requirements as described under WAC 388-49-360;

(d) Status as an ineligible alien; or

(e) ~~((Status as an ineligible student; or~~

~~(f)))~~ Failure to sign the application attesting to the member's citizenship or alien status.

(44) "Institution" means any place of residence (private or public) providing maintenance and meals for two or more persons.

(45) "Institution of higher education" means any institution normally requiring a high school diploma or equivalency certificate for enrollment. This includes any two-year or four-year college. Also included is any course in a trade or vocational school that normally requires a high school diploma or equivalency for admittance to the course.

(46) "Intentional program violation," after August 8, 1983, means intentionally:

(a) Making a false or misleading statement;

(b) Misrepresenting, concealing, or withholding facts; or

(c) Committing any act constituting a violation of the Food Stamp Act, the food stamp program regulations, or any state statute relating to the use, presentation, transfer, acquisition, receipt, or possession of food stamp coupons or FCAs.

Intentional program violation which ended before August 8, 1983, consists of any action by a person or persons to knowingly, willfully, and with deceitful intent:

(a) Make a false statement to the department, either orally or in writing, to obtain benefits to which the household is not entitled;

(b) Conceal information to obtain benefits to which the household is not entitled;

(c) Alter authorization cards or coupons to obtain benefits to which the household is not entitled;

(d) Use coupons to buy expensive or conspicuous nonfood items;

(e) Use or possess improperly obtained coupons or authorization cards; and

(f) Trade or sell coupons or authorization cards.

(47) "Intentional program violation overissuance" means any overissuance caused by an intentional program violation.

(48) "Live-in attendant" means a person residing with a household to provide medical, housekeeping, child care, or other similar personal services.

(49) "Lump sum" means money received in the form of a nonrecurring payment including, but not limited to:

(a) Income tax refunds,

(b) Rebates,

(c) Retroactive payments, and

(d) Insurance settlements.

(50) "Mandatory fees" means those fees charged to all students within a certain curriculum. Transportation,

supplies, and textbook expenses are not uniformly charged to all students and are not considered as mandatory fees.

(51) "Migrant farmworker" means a person working in seasonal agricultural employment who is required to be absent overnight from the person's permanent residence.

(52) "Net income eligibility standard" means the federal income poverty level for the forty-eight contiguous states.

(53) "Nonhousehold member" means a person who is not considered a member of the food stamp household such as a:

- (a) Roomer;
- (b) Live-in attendant; ((or))
- (c) Ineligible student; or

(d) Person who does not purchase and prepare meals with the food stamp household except for persons described under WAC 388-49-190(2).

(54) "Nonstriker" means any person:

(a) Exempt from work registration the day before the strike for reasons other than their employment;

(b) Unable to work as a result of other striking employees, e.g., truck driver not working because striking newspaper pressmen not printing output;

(c) Not part of the bargaining unit on strike but not wanting to cross picket line due to fear of personal injury or death; or

(d) Unable to work because workplace is closed to employees by employer in order to resist demands of employees, e.g., a lockout.

(55) "Offset" means reduce restored benefits by any overissue (claim) owed by the household to the department.

(56) "Overissuance" means the amount of coupons issued to a household in excess of the amount eligible to receive.

(57) "Overpayment" means the same as "overissuance" and shall be the preferred term used in procedures.

(58) "Payment month" means the third month of the budget cycle; the month in which the food stamp allotment is affected by information reported on the monthly report for the budget month.

(59) "Period of intended use" means the period for which an FCA or food coupon is intended to be used.

(60) "Post secondary education" means a school not requiring a high school diploma or equivalency for enrollment. This includes trade school, vocational schools, business colleges, beauty schools, barber schools, etc.

(61) "Principal wage earner" means the household member with the greatest source of earned income in the two months prior to the month of violation of employment and training and voluntary quit provisions, including members not required to register.

(62) "Process month" means the second month of the monthly reporting cycle; the month in which the monthly report is to be returned by the household to the local office.

(63) "Project area" means the county or similar political subdivision designated by the state as the administrative unit for program operations.

(64) "Prospective budgeting" means the computation of a household's income based on income received or anticipated income the household and department are reasonably certain will be received during the month of issuance.

(65) "Prospective eligibility" means the determination of eligibility based on prospective budgeting rules and other

household circumstances anticipated during the month of issuance.

(66) "Quality control review" means a review of a statistically valid sample of cases to determine the accuracy of budgeting, issuance, denial, withdrawal, and termination actions taken by the department.

(67) "Quality control review period" means the twelve-month period from October 1 of each calendar year through September 30 of the following calendar year.

(68) "Recent work history" means receipt of earned income in one of the two months prior to the payment month.

(69) "Recertification" means approval of continuing benefits based on an application submitted prior to the end of the current certification period.

(70) "Resident of an institution" means a person residing in an institution that provides the person with the majority of meals as part of the institution's normal service.

(71) "Retrospective budgeting" means the computation of a household's income for a payment month based on actual income received in the corresponding budget month of the monthly reporting cycle.

(72) "Retrospective eligibility" means the determination of eligibility based on retrospective budgeting rules and other circumstances existing in the budget month.

(73) "Roomer" means a person to whom a household furnishes lodging, but not meals, for compensation.

(74) "Seasonal farmworker" means a person working in seasonal agricultural employment who is not required to be absent overnight from the person's permanent residence.

(75) "Shelter costs" means:

(a) Rent or mortgage payments plus taxes on a dwelling and property;

(b) Insurance on the structure only, unless the costs for insuring the structure and its contents cannot be separated;

(c) Assessments;

(d) Utility costs such as heat and cooking fuel, cooling and electricity, water, garbage, and sewage disposal;

(e) Standard basic telephone allowance;

(f) Initial installation fees for utility services; and

(g) Continuing charges leading to shelter ownership such as loan repayments for the purchase of a mobile home including interest on such payments.

(76) "Shelter for battered women and children" means a public or private nonprofit residential facility serving battered women and children.

(77) "Sibling" means a natural or an adopted brother, sister, half brother, half sister, or stepbrother or stepsister.

(78) "Sponsor" means a person who executed an affidavit of support or similar agreement on behalf of an alien as a condition of the alien's admission into the United States as a permanent resident.

(79) "Sponsored alien" means an alien lawfully admitted for permanent residence who has an affidavit of support or similar agreement executed by a person on behalf of the alien as a condition of the alien's admission into the United States as a permanent resident.

(80) "Spouse" means:

(a) Married under applicable state law; or

(b) Living with another person and holding themselves out to the community as husband and wife by representing

themselves as such to relatives, friends, neighbors, or trades people.

(81) "Striker" means any person:

(a) Involved in a strike or concerted stoppage of work by employees including stoppage due to expiration of a collective bargaining agreement; or

(b) Involved in any concerted slowdown or other concerted interruption of operations by employees.

(82) "Student" means any person:

(a) At least eighteen but less than fifty years of age;

(b) Physically and mentally fit for employment; and

(c) Enrolled at least half time in an institution of higher education.

(83) "Systematic alien verification for entitlements (SAVE)" means the immigration and naturalization service (INS) program whereby the department may verify the validity of documents provided by aliens applying for food stamp benefits by obtaining information from a central data file.

(84) "Temporary disability" means a nonpermanent physical illness or injury that incapacitates beyond the initial issuance month.

(85) "Thrifty food plan" means the diet required to feed a family of four as determined by the United States Department of Agriculture. The cost of the diet is the basis for all allotments, taking into account the household size adjustments based on a scale.

(86) "Under parental control" means living with (~~the parent or~~) any adult other than the parent. A person is not under parental control when that person is:

(a) Receiving an AFDC grant as the person's own payee;

(b) Receiving, as the person's own payee, gross income equal to, or exceeding, the AFDC grant payment standard as described under WAC 388-250-1400(2); (~~or~~)

(c) Married and living with a spouse; or

(d) Living with the person's own child.

(87) "Vehicle" means any device for carrying or conveying persons and objects, including travel by land, water, or air.

(88) "Vendor payment" means money payments not owed or payable directly to a household, but paid to a third party for a household expense, such as:

(a) A payment made in money on behalf of a household whenever another person or organization makes a direct payment to either the household's creditors or a person or organization providing a service to the household; or

(b) Rent or mortgage payments, made to landlords or mortgagees by the department of housing and urban development or by state or local housing authorities.

(89) "Verification" means the use of documentation or third-party information to establish the accuracy of statements on the application. Sources of verification shall be documentary evidence, collateral contacts, or a home visit.

WSR 95-01-016

WITHDRAWAL OF PROPOSED RULES STATE BOARD OF EDUCATION

[Filed December 9, 1994, 11:10 a.m.]

Notice is hereby given that the State Board of Education is withdrawing Form CR-102, WSR 94-20-116, filed October 5, 1994, related to proposed amendments to WAC 180-27-115.

Larry Davis
Executive Director/Secretary

WSR 95-01-017

WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF LICENSING

[Filed December 9, 1994, 11:18 a.m.]

The Department of Licensing hereby withdraws WSR 94-13-028, filed June 6, 1994.

Nancy Kelly, Administrator
Title and Registration Services

WSR 95-01-027

PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed December 9, 1994, 3:16 p.m.]

Original Notice.

Title of Rule: WAC 388-218-1050 Definitions, 388-218-1400 Earned income types, 388-218-1500 Unearned income types, and 388-218-1520 Income from employment or training programs.

Purpose: Incorporates federal: Policy reinterpretation—Clarifies certain temporary disability insurance and temporary worker's compensation payments are counted as earned income and no longer considered unearned income; and law that adds wages paid under the National and Community Service Trust Act of 1993 (Americorps) treated as earned income.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: See Purpose above.

Reasons Supporting Proposal: Incorporates federal law: Public Law 103-82, 45 CFR 233.20 (a)(6)(iii) and (vi), (a)(11).

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rena Milare, Division of Income Assistance, 438-8311.

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

Rule is necessary because of federal law, P.L. 103-82, 45 CFR 233.20 (a)(6)(iii)(vi), (a)(11).

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

Proposal Changes the Following Existing Rules: See above.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Affects only AFDC recipients receiving assistance.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on January 24, 1995, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Office of Vendor Services by January 7, 1995, TDD (206) 753-4595, or SCAN 234-4595.

Submit Written Comments to: Dewey Brock, Chief, Office of Vendor Services, Mailstop 45811, Department of Social and Health Services, 14th Avenue and Franklin Street, Olympia, Washington 98504, Identify WAC Numbers, FAX (206) 586-8487, by January 14, 1995.

Date of Intended Adoption: January 25, 1995.

December 9, 1994
Dewey Brock, Chief
Office of Vendor Services

AMENDATORY SECTION (Amending Order 3759, filed 7/27/94, effective 9/1/94)

WAC 388-218-1050 Definitions. (1) "**Allocation**" means the process of determining the amount of income possessed by someone outside the AFDC assistance unit considered available to meet the needs of legal dependents in the assistance unit, or the process of determining the amount of income possessed by the assistance unit considered available to meet the needs of legal dependents outside the assistance unit.

(2) "**Available income**" means any income which the client possesses and can currently use to supply all or part of his/her requirements.

(3) "**Budget month**" means the second calendar month preceding the payment month.

(4) "**Deeming**" means the process of determining the amount of an alien sponsor's income available to the alien.

(5) "**Earned income**" means income in cash or in-kind earned as wages, salary, commissions, or profit from activities in which the client is engaged as a self-employed person or as an employee. Earned income may be derived from self-employment (such as business enterprise or farming), or derived from wages or salary received as an employee. Earned income also includes earnings over a period of time for which settlement is made at one time, for example, sale of farm crops, livestock, or poultry. Income from rentals is earned income, provided the client has managerial responsibility for the rental property.

(6) The definition of "**earned income**" includes:

(a) Earnings under Title I of the Elementary and Secondary Education Act;

(b) All earnings received under the Economic Opportunity Act;

(c) Wages from on-the-job training and work experience; and

(d) Wages paid under the Job Training Partnership Act (JTPA) and the National and Community Service Trust Act of 1993 (Americorps).

(7) The definition of "**earned income**" excludes:

(a) Returns from capital investment with respect to which the client is not actively engaged, as in a business. For example, under most circumstances, dividends and interest are excluded from "earned income."

(b) Benefits accruing as compensation or reward for service, or as compensation for lack of employment, for example, pensions and benefits from labor organizations, veterans' benefits, unemployment compensation, Social Security, etc.

(c) Income from incentive payments and training-related expenses derived from institutional or work experience training.

(d) Income received under the Job Training Partnership Act and Americorps for training allowances, payments for support services, etc.

(8) "**Earned income in-kind**" means the in-kind item is earned by work performed for another person by the client such as earning rent from a landlord, etc.

(9) "**Entitlement**" means any claim or interest, payable in cash or in-kind, a client may have in the following:

(a) Benefit;

(b) Compensation;

(c) Insurance;

(d) Pension (retirement, military, etc.);

(e) Bonus;

(f) Allotment; and

(g) Allowance, etc.

(10) "**Gross income**" means all income not specifically exempted by rule or regulation before applicable program disregards are applied.

(11) "**Income**" shall include, but is not limited to, all types of:

(a) Income from the lease or rental of real or personal property;

(b) Support from parent, stepparent, or other nonrelated adult;

(c) Interest or dividends from stocks and bonds as specified in WAC 388-218-1920 (3)(a);

(d) Wages, including garnished wages;

(e) Income from farming;

(f) Benefits and entitlements from private and public agencies, such as OASDI, veterans' agencies, and U.C.;

(g) Gifts and prizes in the form of cash or marketable securities; and

(h) Lump sum payments.

(12) "**Initial investments**" means real or personal property purchased directly with funds from an annuity fund or per capita payment up to the amount of the funds from the annuity fund or per capita payment.

(13) "**Lump sum payment**" means a nonrecurring unearned income. Lump sum payments may include, but are not limited to:

(a) Lottery, bingo, or gambling winnings;

(b) An inheritance;

(c) Personal injury award;

(d) Workers compensation awards; or

(e) Social Security back payments.

(14) "**Minor parent**" means a person who:

(a) Is seventeen years of age or younger; and

(b) Resides in the same household with an adult responsible for the minor parent's support.

(15) "**Net income**" means gross income less applicable disregards and deductions for which the client is eligible.

(16) "**Newly acquired income**" means any previously unreported or undiscovered income a client possesses or controls in whole or in part.

(17) "**Payment month**" means the calendar month for which payment is made.

(18) "**Process month**" means the calendar month between the budget month and the payment month.

(19) "**Self-produced**" means an item produced by a client, as opposed to an item purchased by a client, given to a client, or earned by a client in lieu of wages.

(20) "**Student**" means a client attending a school, college or university, or a course of vocational or technical training designed to fit the client for gainful employment. A full-time student must have a school schedule equal to a full-time curriculum. A part-time student must have a school schedule equal to at least one-half of a full-time curriculum. A student enrolled during the school term just completed and planning to return to school when school reopens shall retain status as a student during the summer vacation.

(21) "**Supplied**" means the in-kind item is furnished to the client without work or cost.

(22) "**Unearned income**" means income not directly resulting from a client's employment or self-employment.

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

WAC 388-218-1400 Earned income types. The department shall consider the following income types as earned income and treat accordingly:

(1) Employment partnership program wages.

(2) Foster care retainer fees received to reserve beds for foster children when a public assistance client operates a foster home for children.

(3) Earned income in-kind items shall be evaluated in terms of their cash equivalent.

(4) Self-employment income from the management and operation of a rooming, boarding, or boarding and rooming home. See WAC 388-218-1320 Board, room rental, board and room income, to determine net income.

(5) Wages, salary, commissions, or profit from activities in which a client is engaged as a self-employed person or as an employee earned in cash or in-kind.

(6) State temporary disability insurance payments and temporary worker's compensation payments which are analogous to sick pay when such payments are employer funded and made to an individual who remains employed during recuperation from a temporary illness or injury pending return to the job.

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

WAC 388-218-1500 Unearned income types. (1) Unearned income shall include but is not limited to the following types:

(a) Child support when not a pass-through payment or ((OSE)) DCS assignment has not been completed;

(b) Gate money from adult corrections;

(c) Labor and industries benefits, except those worker's compensation payments which are treated as earned income. See WAC 388-218-1400(6);

(d) Railroad retirement;

(e) Social Security disability and retirement;

(f) Unemployment compensation; and

(g) Veteran administration benefits.

(2) Unless specifically exempt or disregarded from consideration when determining need, unearned income shall be deducted in its entirety from the payment standard plus authorized additional requirements.

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

WAC 388-218-1520 Income from employment or training programs. (1) Payments issued under the Job Training Partnership Act (JTPA) and the National and Community Service Trust Act of 1993 (AmeriCorps) shall be treated as follows:

(a) Wages paid under the Job Training Partnership Act (JTPA) and living allowances or stipends paid under the National and Community Service Trust Act of 1993 (AmeriCorps) shall be considered earned income and treated accordingly. See WAC 388-218-1690 Allocation of the income of an ineligible child, for the treatment of the income of a child excluded from the grant. See WAC 388-218-1410 Earned income of a child, for the treatment of the income of a student.

(b) Needs based payments issued under the JTPA and AmeriCorps shall be evaluated as follows:

(i) Payments which cover special needs not covered in the department need standard shall be disregarded as duplication of need does not exist.

(ii) Payments which duplicate items contained in the department need standard shall be treated in accordance with the policies contained in WAC 388-218-1540 Assistance from other agencies and organizations.

(2) Wages paid from on-the-job training or work experience are considered earned income and treated accordingly.

WSR 95-01-037
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed December 12, 1994, 2:26 p.m.]

Original Notice.

Title of Rule: WAC 388-518-1805 LCP-MI eligibility.

Purpose: Ensures a person's citizenship, Social Security number, and residency are not required as a condition of eligibility for the LCP-MI program; ensures, as a condition of eligibility for LCP-MI program, a person must have an emergency medical condition; and deletes the requirement that the value transferred resources be added to spenddown liability as it contradicts WAC 388-507-0740.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Ensures department staff administer LCP-MI program correctly.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joanie Scotson, Medical Assistance Administration, 753-7462.

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.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. This proposed WAC amendment concerns the determination of eligibility and affects only department staff. This proposed WAC has no economic impact on any industry and does not regulate any industry.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on January 24, 1995, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Office of Vendor Services by January 10, 1995, TDD (206) 753-4595, or SCAN 234-4595.

Submit Written Comments to: Dewey Brock, Chief, Office of Vendor Services, Mailstop 45811, Department of Social and Health Services, 14th Avenue and Franklin Street, Olympia, Washington 98504, Identify WAC Numbers, FAX (206) 586-8487, by January 17, 1995.

Date of Intended Adoption: January 25, 1995.

December 12, 1994

Dewey Brock, Chief
Office of Vendor Services

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

WAC 388-518-1805 LCP-MI eligibility. (1) The department shall ~~((determine))~~ not require as a condition of eligibility:

- (a) A person's citizenship((:));
- (b) Social Security number((:)); and
- (c) Residency ~~((are not requirements for eligibility))~~.

(2) A person shall not be eligible for LCP-MI when the person:

- (a) Is eligible for medical care from another state; or
- (b) Enters Washington state specifically for the purpose of obtaining medical care.

(3) A person receiving LCP-MI shall meet the following eligibility criteria:

- (a) The person is not:
 - (i) Receiving continuing cash assistance; or
 - (ii) Eligible for any other medical program((:)).

(b) ~~((The client who transferred resources within two years before the date of application but after July 1, 1981, shall spenddown the uncompensated value of the resource as described in WAC 388-518-1840. See WAC 388-513-1370 for determining the uncompensated value of the transferred resource))~~ The person must have an emergency medical condition as defined in WAC 388-500-0005; and

(c) For a pregnant woman, the department shall increase the number in the household by the number of unborn before comparing the pregnant woman's income to the:

- (i) Income requirements of WAC 388-518-1850(1); and
- (ii) Resource requirements of WAC 388-518-1850(2).

WSR 95-01-054

PROPOSED RULES

TRANSPORTATION IMPROVEMENT BOARD

[Filed December 14, 1994, 9:02 a.m.]

Original Notice.

Title of Rule: Chapter 479-01 WAC, Description of organization; chapter 479-02 WAC, Public access to information and records; chapter 479-12 WAC, Submission of proposed urban arterial trust account projects to Transportation Improvement Board; chapter 479-13 WAC, Submission of six-year plans to Transportation Improvement Board; chapter 479-16 WAC, Requirements of urban arterial project development; chapter 479-20 WAC, Financial and payment requirements; chapter 479-24 WAC, Rules and regulations to State Environmental Policy Act guidelines; chapter 479-112 WAC, Submission of proposed TIA projects to Transportation Improvement Board; chapter 479-113 WAC, Submission of six-year plans for TIA projects; chapter 479-116 WAC, Requirements for transportation improvement account projects; chapter 479-120 WAC, Financial and payment requirements for transportation improvement account funded projects; chapter 479-216 WAC, Requirements for route jurisdiction transfer requests; chapters 479-310 and 479-312 WAC, rules for city hardship assistance program; and chapters 479-410, 479-412, 479-416 and 479-420 WAC, rules for the new small city program.

Purpose: The rules shown below are being revised to update current language, provide needed language to reflect the current procedures of the Transportation Improvement Board programs, and to reflect desired changes in the Transportation Improvement Board programs. Also, included are a set of new rules to administer the new small city program.

Statutory Authority for Adoption: RCW 47.26.160.

Summary: Chapter 479-01 WAC, revised to show the number and make up of the board to reflect the current RCW. Address of the Transportation Improvement Board is updated. Definition of eligible cities was moved to other WACs; chapter 479-02 WAC, updated language, RCW references and listed the actual type of records the Transportation Improvement Board has; chapter 479-12 WAC, to provide rules to allow the board to adopt rules and state the intent of the UATA program. Updated language for the revised program and state that proposed projects are not required to be on agencies six-year TIP at the time of application, but must be added prior to the board's approval; chapter 479-13 WAC, language and procedures needed to be updated and revised to reflect desired changes in the UATA program; chapter 479-16 WAC, to reflect the updated language and procedures of the desired changes in the UATA program; chapter 479-20 WAC, revised rules are needed to update language and procedures of the desired changes in the UATA program; chapter 479-24 WAC, to update language of existing rules; chapter 479-112 WAC, updated language of existing rules and added rules needed to better describe the procedures of the TIA program; chapter 479-113 WAC, updated language of existing rules to accurately describe the procedures of the TIA program; chapter 479-116 WAC, added rules to allow the transportation improvement account rules to stand separate from the UATA rules. Updated language and procedures to reflect

the desired changes in the TIA program. Added rule to allow a percentage of the transportation improvement account to be set aside for pedestrian facilities; chapter 479-120 WAC, added rules to allow the transportation improvement account rules to stand separate from the UATA rules; chapter 479-216 WAC, changed the actual cutoff date from April 1 to February 1; chapters 479-310 and 479-312 WAC, updated language to accurately reflect the current program; chapters 479-410, 479-412, 479-416 and 479-420 WAC, provides rules describing the procedures for the program.

Reasons Supporting Proposal: Chapter 479-01 WAC, to update existing rules; chapter 479-02 WAC, to revise the existing rules to reflect actual conditions and to be in agreement with current RCW language; chapter 479-12 WAC, to have a rule that states the board's responsibility to adopt rules and to state the intent and define the eligible agencies for the UATA program. To reflect the procedures of the revised UATA program; chapter 479-13 WAC, to delete the requirement that proposed UATA projects are taken from agency six-year TIP. To list the new criteria to be used in rating projects. To state the value engineering studies will be performed in accordance with board policy. Allows problem areas to be mitigated instead of being corrected in accordance to a standard. Language was updated to reflect revised program; chapter 479-16 WAC, to include current language that accurately reflect the new UATA program. Allows the Transportation Improvement Board funds to be used for undergrounding overhead utility lines. Deleted reference to standards for functional classification of arterials, which is now under the responsibility of the Washington State Department of Transportation. Standards for arterials in small cities was moved to the rules for the small city program. To show that UATA funds will not be divided into functional classes. Allows funds to be set aside for pedestrian facilities; chapter 479-20 WAC, updated language was needed to reflect the new program. Allows board to set different matching rates. Allows project to be submitted within six months of contract completion. Project scope and cost will be set at design approval; chapter 479-24 WAC, changed EIS to environmental review; chapter 479-112 WAC, new rules will provide the intent of the TIA program. Moved cities under 5,000 population into the new small city account program; chapter 479-113 WAC, listed the priority criteria to be used in rating projects. Added a number of rules that directly refer to rules in the UATA program; chapter 479-116 WAC, to make the transportation improvement account rules to be complete and to update the existing rules. The board decided a program to construct pedestrian facilities is needed and will benefit the citizens of the state of Washington; chapter 479-120 WAC, to make the transportation improvement account rules complete; chapter 479-216 WAC, to provide agencies additional time to review and respond to proposed changes; chapters 479-310 and 479-312 WAC, allows a prorated amount of the program funds to be used in a proper portion for the Transportation Improvement Board's administrative costs. Changed the application date to February 1; and chapters 479-410, 479-412, 479-416 and 479-420 WAC, these rules are parallel to the rules of other programs administered by the Transportation Improvement Board.

Name of Agency Personnel Responsible for Drafting: John Tevis, Transportation Building, Olympia, 705-7595;

Implementation and Enforcement: Jerry Fay, Transportation Building, Olympia, 705-7301.

Name of Proponent: Transportation Improvement Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Updated and revised existing rules to be in agreement with current RCW language. Provided rules describing the procedures for the new small city program.

Proposal Changes the Following Existing Rules: See above.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Since our funding is a pass through to the local agencies and the proposed rule changes do not add or delete any requirements between local agencies and small business, we were advised that no impact statement was necessary.

Hearing Location: Transportation Building, Commission Board Room, 310 Maple Park Drive, Olympia, WA 98501, on January 27, 1995, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Donna Laing by January 13, 1995.

Submit Written Comments to: FAX (206) 705-6830, by January 13, 1995.

Date of Intended Adoption: January 30, 1995.

December 8, 1994

Jerry M. Fay

Executive Director

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-01-010 Organization of transportation improvement board. The transportation improvement board is a ~~((fifteen))~~ eighteen-member board, organized under the provisions of ~~chapter ((167, Laws of 1988 for the purpose of administering))~~ 172, Laws of 1993. The board administers the urban arterial trust account program ((and)), the transportation improvement account program, small city account program, city hardship assistance program and evaluates petitions requesting any additions or deletions from the state highway system created and financed under the provisions contained therein. ~~((Eleven))~~ Fifteen members of the board are appointed by the secretary of transportation, with six being city officials ~~((and five)),~~ six being county officials and a representative of a public transit system, a private sector representative, and a public member. One member shall be appointed by the governor. The county road administration engineer, created by RCW 36.78.060 is an ex officio member of the board. The ~~((state aid engineer for))~~ assistant secretary for TransAid of the department of transportation is an ex officio member. The remaining ex officio member ~~((s-are))~~ is the assistant secretary of the department of transportation whose primary responsibilities relate to planning and public transportation ~~((and the assistant secretary for highways of the department of transportation)).~~

AMENDATORY SECTION (Amending WSR 92-12-014, filed 5/26/92, effective 6/26/92)

WAC 479-01-020 Time and place of meetings.

Regular public meetings of the board shall be held ~~((beginning))~~ on the fourth Friday of every month or the third Friday if that Friday is a holiday. Each such regular meeting shall be held at the offices of the board in Olympia, Washington, and begin at the hour of 9:00 a.m. or at such other time and place as designated by the board.

A special meeting of the board may be called by the chairperson or by a majority of the members of the board, by delivering personally or by mail written notice to all other members of the board at least twenty-four hours before the time of such meeting as specified in the notice. The notice calling a special meeting shall state the purpose for which the meeting is called and the date, hour, and place of such meeting and all provisions of chapter 42.30 RCW shall apply.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-01-030 Address of board. Persons wishing to obtain information or to make submissions or requests of any kind shall address their correspondence to:

Executive Director, Transportation Improvement Board
~~((Transportation Building))~~
Post Office Box 40901
Olympia, Washington 98504-0901.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-01-040 Definitions. For purposes of implementing the requirements of RCW 47.26.160 relative to the transportation improvement board, the following definitions shall apply:

- (1) Board - the transportation improvement board.
- (2) Director - the executive director of the transportation improvement board.

~~((3) Eligible agencies — the urban arterial trust account eligible agencies are the counties with urban areas and all cities. The transportation improvement account eligible agencies are counties with urban areas, cities and transportation benefit districts.))~~

AMENDATORY SECTION (Amending WSR 91-13-056, filed 6/17/91, effective 7/18/91)

WAC 479-02-030 Exempted records. In accordance with RCW 42.17.310, ~~((the following personal and other records shall be exempt))~~ exemptions from public inspection and copying shall include, but not be limited to the following:

- (1) Personal information in files maintained for employees, appointees or elected officials of any public agency to the extent that disclosure would violate their right to privacy.
- (2) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to such taxpayer.

(3) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(4) Information revealing the identity of persons who file complaints with investigative law enforcement or penology agencies, except as the complainant may authorize.

(5) Test questions scoring keys, and other examination data used to administer a license, employment or academic examination.

(6) Except as provided by chapter 8.26 RCW the contents of real estate appraisals, made for or by any agency relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

(7) Valuable formulae, designs, drawings and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(8) Preliminary drafts, notes, recommendations and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(9) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(10) All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant.

(11) The residential addresses and residential telephone numbers of the employees or volunteers of a public agency which are held by the agency in personnel records, employment or volunteer rosters, or mailing lists of employees or volunteers.

(12) Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites.

(13) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for highway construction or improvement.

(14) The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily unidentifiable person or persons.

(15) Responses to public records requests shall be made promptly in accordance with RCW 42.17.320.

AMENDATORY SECTION (Amending WSR 91-13-056, filed 6/17/91, effective 7/18/91)

WAC 479-02-070 Requests for public records.

Subject to the provisions of subsection (3) of this section, public records are obtainable by members of the public when those members of the public comply with the following procedures.

(1) A request shall be addressed to the public records officer. Such request shall include the following:

(a) The name of the person requesting the record.

(b) The time of day and calendar date on which the request was made.

(c) If the matter requested is referenced within the current index maintained by the board, a reference to the requested record as it is described in such current index.

(d) If the requested matter is not identifiable by reference to the board's current index, a statement that identifies the specific record requested.

(e) A verification that the records requested shall not be used to compile a commercial sales list.

(2) The public records officer shall inform the member of the public making the request whether the requested record is available for inspection or copying at the Transportation Improvement Boards office in Olympia, Washington.

(3) When it appears that a request for a record is made by or on behalf of a party to a lawsuit or a controversy to which the board is also a party ~~((f))~~ or when such a request is made by or on behalf of an attorney for such a party ~~((g))~~ the request shall be referred to the assistant attorney general assigned to the board for appropriate response.

AMENDATORY SECTION (Amending WSR 91-13-056, filed 6/17/91, effective 7/18/91)

WAC 479-02-100 Protection of public records. In order to implement the provisions of ~~((section 29, chapter 1, Laws of 1973))~~ RCW 42.17.290, requiring agencies to enact reasonable rules to protect public records from damage or disorganization, the following rules have been adopted.

(1) Copying of public documents shall be done by the board personnel and under the supervision of said personnel, upon the request of members of the public under the procedures set down in WAC 479-02-070.

(2) No document shall be physically removed by a member of the public from the area designated by the board for the public inspection of documents for any reason whatever.

(3) When a member of the public requests to examine an entire file or group of documents, as distinguished from a request to examine certain individual documents which can be identified and supplied by themselves, the board shall be allowed a reasonable time to inspect the file to determine whether information protected from disclosure by ~~((section 31, chapter 1, Laws of 1973))~~ RCW 42.17.310, is contained therein, and the board shall not be deemed in violation of its obligation to reply promptly to requests for public documents by reason of causing such an inspection to be performed.

AMENDATORY SECTION (Amending WSR 91-13-056, filed 6/17/91, effective 7/18/91)

WAC 479-02-110 Denial of request. Each denial of a request for a public record shall be accompanied by a written statement to the person requesting the record clearly specifying the reasons for denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. ~~((Such statement shall be sufficiently clear and complete to permit the director or his or her designee to review the denial in accordance with WAC 479-02-120.))~~

AMENDATORY SECTION (Amending WSR 91-13-056, filed 6/17/91, effective 7/18/91)

WAC 479-02-120 Review of ~~((denials of public records requests))~~ agency denial. ~~((1) Any person who objects to the denial of a request for a public record may petition the public records officer for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.~~

~~((2) After receiving a written request for review of a decision denying a public record, if the public records officer determines to affirm the denial, then the written request shall immediately be referred to the assistant attorney general assigned to the board. The assistant attorney general shall promptly consider the matter and either affirm or reverse such denial. In any case, the request shall be returned with a final decision, within two business days following the original denial.~~

~~((3) Administrative remedies shall not be considered exhausted until the public records officer has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever first occurs.))~~ Whenever a person objects to a conclusion that a public record is exempt from disclosure, the person may request the attorney general to review the matter in accordance with RCW 42.17.325.

AMENDATORY SECTION (Amending WSR 91-13-056, filed 6/17/91, effective 7/18/91)

WAC 479-02-130 Records index. (1) The board has available ~~((to all persons))~~ for public inspection and copying at its offices in Olympia a current index ~~((which provides identifying information as to))~~ of the following records ~~((issued, adopted or promulgated by the board))~~:

(a) ~~((Minutes of board meetings.))~~ State legislation and proposed rules and regulations pertaining to board standards.

(b) Those statements of policy and interpretations of policy, statute and ~~((the constitution))~~ bylaws which have been adopted by the board;

(c) ~~((Administrative staff manuals and instructions to staff that affect a member of the public;~~

~~((d) Planning policies and goals, and interim and final planning decisions;~~

~~((e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports~~

or surveys, whether conducted by public employees or others:)) Minutes of board meetings;

(d) Resolutions approved by the board;

(e) TIB program guidelines;

(f) Program reports and publications;

(g) Budgets and expenditures;

(h) TIB project administration and accounting files.

(2) A system of indexing ((for identification and location of the following records is hereby established by the board. Such records shall include the following:

~~(a) Final orders entered after June 30, 1990, issued in adjudicative proceedings as defined in RCW 34.05.010(1) that contain an analysis or decision of substantial importance to the board in carrying out its duties.~~

~~(b) Declaratory orders entered after June 10, 1990, that contain an analysis or decision of substantial importance to the board in carrying out its duties.~~

~~(c) Interpretive statements as defined in RCW 34.05.010(8).~~

~~(d) Policy statements entered after June 30, 1990, as defined in RCW 34.05.010(14).~~

~~(3) A system of indexing)) shall be as follows:~~

~~(a) The indexing system will be administered by the board's public record officer ((and located in the Transportation Improvement Boards office in Olympia, Washington)).~~

~~(b) Copies of ((all indexes)) the index shall be available for public inspection and copying in the manner provided ((for the inspection and copying of public records)) in chapter 479-02 WAC.~~

~~(c) ((The public record officer shall establish and maintain a separate index for each item contained in subsections (1)(a) through (d) of this section as follows:~~

~~(i) The index shall list all final orders and declaratory orders selected by the department that contain decisions of substantial importance to the board which orders shall be listed alphabetically by the titles of the hearing or controversy and shall contain a phrase describing the issue or issues and relevant citations of law.~~

~~(ii) Interpretative statements and policy statements shall be indexed by the applicable program administered by the board.~~

~~(d)) The public record officer shall update ((all indexes)) the index at least once a year and shall revise ((such indexes)) the index when deemed necessary by the board.~~

NEW SECTION

WAC 479-12-005 Purpose and authority. RCW 47.26.160 provides that the transportation improvement board shall adopt reasonable rules necessary to implement the urban arterial trust account program. The intent of the urban arterial trust account program is to improve mobility and safety while supporting an environment essential to the quality of life of the citizens of Washington state.

NEW SECTION

WAC 479-12-008 Definitions. For purposes of implementing the requirements of RCW 47.26.185 relative to the urban arterial trust account, the following definitions shall apply:

(1) Board - when board is used in this chapter, it refers to the transportation improvement board.

(2) UATA - this is the abbreviation for the urban arterial trust account.

(3) Director - the executive director of the transportation improvement board.

(4) Eligible agencies - the urban arterial trust account eligible agencies are the counties with federal designated urban areas and cities with a population of five thousand or above.

(5) Urban area - the term "urban area" as used for the UATA program refers to the portion of a county within the federal urban area boundary as designated by FHWA.

(6) Eligible project - improvement on federally classified arterials within the urban area.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-12-010 Data to be submitted on proposed ((urban arterial trust account)) projects. When requested by the board, applications for proposed projects shall be submitted to the board by eligible cities and counties seeking allocation of funds ((from the urban arterial trust account)). The application form will be provided by the board.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-12-020 Time and place for submission of proposed urban arterial trust account projects. All project prospectuses submitted by local governments shall be submitted to:

Executive Director, Transportation Improvement Board

((Transportation Building)) Post Office Box 40901 Olympia, Washington 98504-0901

Prospectuses for ((preliminary proposals)) predesign or design phase shall be requested by the board after:

(1) ((Projects contained in the local governments' current six year transportation programs and scheduled to begin in the subsequent biennium.)) Submitted project applications have been evaluated as to priority;

(2) The obligation status of the urban arterial trust account and legislative appropriation authority have been reviewed and capacity to authorize additional projects determined.

Prospectuses for ((preliminary proposals)) predesign phase or design phase shall be received by the board by the first day of the month preceding the month in which project authorization is proposed unless a later receipt ((date is specified and permitted, in writing.)) is approved by the director.

Prospectuses for the construction ((projects)) phase shall be received by the twentieth day of the month preceding the month in which construction project authorization is proposed unless a later receipt date is ((specified and permitted, in writing.)) approved by the director.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-13-010 Six-year transportation programs for urban areas. The six-year transportation programs of urban area cities and counties required, respectively, by RCW 35.77.010 and 36.81.121(~~(, shall be divided into two sections:~~

(1) ~~The basic six-year transportation program for the following six years based upon estimated revenues other than proposals for urban arterial trust account funds for new projects.~~

(2) ~~A separate section of the six-year transportation program setting forth proposals, if any, for urban arterial trust account funds for new projects to begin in the following biennial period.~~

~~The separate section of the six-year transportation program setting forth proposed new projects utilizing urban arterial trust account funds shall be considered as supplemental to the basic six-year transportation program and shall not contain duplicate projects: *Provided*, That the same project may appear in both the basic and supplemental six-year transportation programs if:~~

(1) ~~The local agency intends to construct the project with other funds if urban arterial trust account funds are not approved.~~

(2) ~~The total dollar amount of the basic six-year transportation program approximates estimated revenues available for construction for the following six-year period.~~

~~Upon board approval of any new project for financial assistance from the urban arterial trust account, such project shall be amended into the basic six-year transportation program.~~

~~The separate portion of the six-year transportation program, setting forth new project proposals for urban arterial trust account funding, shall be listed in order of their priority in the following manner:~~

(1) ~~Federal urban area cities and counties shall divide arterials by functional class and list in order of their priority as provided for by RCW 47.26.220.~~

(2) ~~Nonfederal urban area cities shall list all proposals in order of their priority.~~

~~The local agency shall evaluate its arterials by utilizing the criteria outlined in RCW 47.26.220 which covers the following:~~

(1) ~~The structural ability to carry loads.~~

(2) ~~Capacity to move traffic.~~

(3) ~~Alignment and related geometries.~~

(4) ~~Accident experience.~~

(5) ~~Fatal accident experience.~~

~~The board will provide the agency with a listing of arterial deficiencies based on the information contained in the long range plan as last updated by the agency. This information can be used to fulfill the requirement stipulated in RCW 47.26.220.~~

~~The requested urban arterial trust account funds to improve the project shall correct the deficiencies found on the section, considering design standards, project life, and unique local considerations.~~

~~Inventory data for each proposed project shall be prepared under the supervision of a registered engineer in the state of Washington.) must have proposed urban arterial~~

trust account projects included prior to board approval and shall be consistent with the Growth Management Act, the state and Federal Clean Air Acts, and the Americans with Disabilities Act, where these acts are applicable.

~~A copy of the ((basic)) six-year transportation program including the proposed projects to be approved shall be submitted to the board along with a copy of the resolution of the city or county adopting such program. ((The separate section of the six-year transportation program, setting forth new project proposals for urban arterial trust account funding, shall be submitted to the board on forms provided by the board and shall be accompanied by a copy of the resolution of the city or county adopting the separate section of the six-year transportation program: *Provided*, That if the city or county does not desire to propose new projects for urban arterial trust account fund assistance, the only submission to the board shall be a written statement to that effect.))~~

NEW SECTION

WAC 479-13-011 Priority criteria for urban arterial trust account projects. The agencies shall evaluate their proposed urban arterial trust account projects by utilizing the following criteria which shall also be utilized by the transportation improvement board to prioritize projects.

(1) Safety, improvements that will reduce accidents;

(2) Mobility, improvements to increase mobility;

(3) Structural condition of the roadway, improvements to the roadway surface;

(4) Roadway widths, improvements to widen standard lanes and shoulders and adding sidewalks;

(5) Multimodal, improvements for a variety of transportation modes such as transit, bicycle, trucks, etc;

(6) Project cost, improvements with lower cost in relationship to traffic and length;

(7) Other, consideration given to agencies that show initiative to improve their local transportation system in various ways.

AMENDATORY SECTION (Amending Order 87-01, Resolution No. 955, filed 10/19/87)

WAC 479-13-025 Six-year financial plan. At the beginning of each biennium the board shall update their six-year financial plan to determine the amount of estimated revenue to be available for new project starts in the ensuing biennium. The estimate of funds for new project starts shall take into consideration ((programming of funds after July 1, 1987, for)) projects approved by the board for the ((preliminary)) design phase where construction funding approval is pending.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-13-035 Value engineering study requirements. ((A value engineering (VE) study shall be required on all urban arterial trust account projects whose total cost exceeds one million dollars as reflected in the six-year program. Upon request from a local agency, the board may grant a variance from this requirement. The board may also require a VE study for a project whose total cost is one

million dollars or less upon a determination by the board that a VE study is warranted.

~~An agency that proposes to obtain a variance from the requirement shall submit justification to the board by the first day of the month preceding the month in which project authorization is proposed unless a later receipt date is specified and permitted, in writing, by the director.~~

~~The board shall not authorize funds for a project until the VE study has been performed by an interagency study team in compliance with guidelines furnished by the board.)~~ Value engineering studies shall be required in accordance with the policy adopted by the board.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-13-070 Procedures for ~~((two-phase))~~ project(s) approval. ~~((After July 1, 1987, preliminary))~~ Pre-design, design proposals and related construction projects authorized by the board for financial assistance from the urban arterial trust account shall be selected for authorization based upon the following factors:

The ~~((preliminary and construction prospectus))~~ proposed project scope shall ~~((specifically address the type of))~~ include improvement that will ~~((correct the deficiencies))~~ address or mitigate the items for which the project was selected.

The board shall evaluate the project scope and may reduce the project scope if, in the board's opinion, the scope exceeds that which is necessary to ~~((improve the deficiencies))~~ address or mitigate the item in the selection process.

The following factors relative to each project, in addition to other factors required by law, shall be evaluated:

(1) Each project shall be evaluated on the availability and source of matching funds.

(2) Construction prospectuses for ~~((construction))~~ projects ~~((that relate to preliminary proposals initially authorized))~~ previously approved for design and right of way funding by the board ~~((for financial assistance))~~ from the urban arterial trust account shall be required to be accompanied by the following information demonstrating the readiness of the ~~((construction))~~ project to be placed under contract for construction.

(a) A certification from the legislative body or other designated responsible official, of the administering agency ~~((or agencies))~~, that an environmental impact analysis has been conducted and an environmental impact statement including the conformity with the state and Federal Clean Air Acts or negative declaration of environmental impact, as appropriate, has been circulated pursuant to chapter 43.21C RCW, and that the results have been utilized in arriving at the decisions reflected in the prospectus for the construction project.

(b) A certification that all right of way required for the project is available or if right of way remains to be acquired that the agency has obtained a possession and use agreement on the parcels in question.

(c) A certification from the legislative body that the project is completely designed and ready to be advertised for bids.

(d) The date the project will be advertised for bids.

(e) Each construction project prospectus shall identify changes between the scope of work of the proposed construction project and the construction work contemplated in the current six-year transportation program or the ~~((preliminary))~~ project design prospectus ~~((and provide))~~. An explanation and justification for such changes shall also be included.

(f) The board shall consider adjustments to the amount previously requested ~~((in the six-year transportation program))~~ in accordance with the board's rule on increases in urban arterial trust account funds.

(3) Requests for authorization of funds for construction projects ~~((in:~~

~~(a) Federal urban areas))~~ shall be considered in the sequence in which the projects ~~((within each functional class of arterial within each region))~~ are, as defined by board rules, ready to be placed under contract for construction. In the event that two or more projects ~~((in the same functional class within the same region))~~ are proposed for funding at the same board meeting, the request for funds shall be considered in the same priority sequence ~~((within each functional class and region))~~ in which the related ~~((preliminary))~~ design phase proposals were approved.

If insufficient funds are available in the account to allow the board to fund the construction phase when requested, the board shall notify the agency that notice will be provided when funds are available to again proceed with the request. At that time the agency will resubmit their request and will be given priority within the appropriate region over all other requests for funding submitted after their original request for construction funds.

~~((b) Rural incorporated cities shall be considered in the sequence in which the projects within each region are, as defined by board rules, ready to be placed under contract for construction. In the event that two or more projects in the same region are proposed for funding at the same board meeting, the request for funds shall be considered in the same priority sequence within region in which the related preliminary proposals were approved.~~

~~If insufficient funds are available in the account to allow the board to fund the construction phase when requested, the board shall notify the agency that notice will be provided when funds are available to again proceed with the request. At that time the agency will resubmit their request and will be given priority within the appropriate region over all other requests for funding submitted after their original request for construction funds.~~

~~The board, when considering approval of the construction phase of a project that was previously approved for the preliminary engineering phase, shall take into consideration the current balance of available funds in the account and shall not authorize the construction phase if, in the board's opinion the total funding for construction will not be available within the ensuing twelve-month time period.)~~

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 479-13-060 Procedures for two-phase projects.

AMENDATORY SECTION (Amending Order 32, filed 2/6/68)

WAC 479-16-010 Methods of construction. All construction, except utility and railroad relocations and adjustments and except installation of traffic control devices if accomplished by the personnel of the local governmental unit, done by cities and counties using ~~((urban arterial trust))~~ transportation improvement board funds shall be required to be done by advertisement, competitive bid and contract.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-16-015 Registered engineer in charge. All projects using ~~((urban arterial trust account))~~ transportation improvement board funds shall be planned, designed, and constructed under the supervision of a professional engineer registered in the state of Washington.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-16-016 Certification of ~~((completion))~~ completed work. Each ~~((voucher))~~ request for payment of board funds during the construction phase shall be ~~((accompanied by certification of))~~ certified by the registered engineer in charge that the work has been completed in accordance with plans and specifications.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-16-030 Utility and railroad adjustments and relocations. Utility and railroad adjustments and relocations may be performed by negotiated contract with the owner of those facilities. The administering agency shall review and approve a written statement that includes the items of work and an estimate of cost prepared by the utility or railroad for the work required as a result of the arterial improvement. Updated statements of items of work and estimates of cost may be reviewed and approved by the administering agency. All costs of utility and railroad adjustments, as finally approved by the administering agency, shall be subject to audit. If federal aid highway funds are included in the project, the negotiated contract shall include the applicable provisions of federal highway administration policies and procedures prescribed in ~~((FHPM 1-4-3, FHPM 6-6-2-1, Code of Federal Regulations,))~~ 23 CFR 140, 23 CFR 645 and 23 CFR 646, Federal Aid Policy Guide.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-16-035 Undergrounding utilities. Board funds ~~((shall participate))~~ may be used in the actual, necessary costs of relocating utility or other service facilities resulting from an approved urban arterial project when:

- (1) The local agency administering the project directly incurs such costs; or
- (2) The local agency administering the project is obligated by law or by previously established and documented policies and practices for such costs.

Board funds may ~~((participate))~~ be used in the costs ~~((of undergrounding))~~ to underground service connections for street illumination and traffic signal services within the prescribed limits of the approved project.

The board funds ~~((participation))~~ used in the actual, necessary costs of relocating utility or other service facilities, other than service connections for street illumination and traffic signal services within the prescribed limits of the approved project, shall be further limited as follows:

(a) Where a local agency requires that existing overhead facilities be placed underground, board ~~((participation))~~ funds shall be limited to the agency's actual cost thereof ~~((or the cost which would be incurred in placing them overhead, whichever is the lesser)).~~ The board considers this type of improvements to be aesthetic in nature as is landscaping, therefore, the cost involved in undergrounding the utility facilities, in excess of the estimated cost to relocate them overhead, will be included within the three percent allowance for landscaping costs.

(b) If utility lines or other service facilities are already underground, board funds may ~~((participate))~~ be used in the costs of replacing such facilities on an underground basis.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-16-040 Traffic control devices. Traffic control devices included in a participating project may be installed by the employees and with the equipment and materials of the local governmental units: *Provided*, That the basis for payment of board funds is reimbursement of the appropriate portion of actual cost of such work, subject to ~~((appropriate))~~ audit.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-16-045 Project plantings. Board funds may ~~((participate))~~ be used at the appropriate matching ratio in the cost of street tree plantings and the use of other plantings and supporting materials within the project right of way to a maximum of three percent of the total authorized project costs: *Provided*, That requests for increases in the authorized amount of board funds to cover street tree planting and related costs shall be considered jointly with other cost increases and approval of all such requests shall be limited to the amount authorized by WAC ~~((479-20-036))~~ 479-20-037 to be approved by the director. Erosion control treatment shall not be considered a part of street tree planting costs.

The three percent limitation for street tree planting and related costs ~~((on a participating basis utilizing board funds))~~ shall not affect the local government's authority to include street tree plantings and the use of other plantings or supporting materials in the ~~((urban))~~ arterial project in amounts that exceed the three percent ~~((of total authorized project cost))~~ limit provided they are paid for solely with funds other than board supplied funds.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

~~WAC 479-16-060 Design standards for ((urban arterial trust account)) transportation improvement board projects. All ((urban arterial trust account)) transportation improvement board funded projects shall be prepared using currently applicable design standards.~~

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

~~WAC 479-16-080 ((Rates of development of functional classes for urban arterial trust account projects.)) Apportionment of urban arterial trust account fund to regions. ((Urban arterial trust account funds apportioned to the five regions of the state within the federal urban areas shall be divided between functional classes of urban arterials. Beginning July 1, 1985.)) Beginning 1995, every four years, the board ((at the start of each new biennium)) shall determine the distribution formula to apportion unobligated arterial trust account funds to each ((functional class of arterial within a given)) urban region ((as set forth below)). The distribution ((of funds within each region shall be administered so as to permit complete urban arterial trust account projects in each arterial classification to be authorized and funded.~~

~~(1) By determining a ratio between functional classes of roadway within each region, based on the estimated cost of improvement for backlog and first biennium deficiencies, found in the current city and county long range plan inventory for two lane roadways. All improvement costs shall be attributable to those sections with average daily traffic greater than the average traffic weighted by section length for two lane roadways established from the long range plan inventory for each functional class within region.~~

~~(2) The ratio determined by subsection (1) of this section shall be weighted by the following amount for each classification to assure that the urban arterial construction program shall provide for a more rapid rate of completion of the long range construction needs of principal arterial roads than for minor and collector arterial roads pursuant to RCW 47.26.200 and 47.26.210.~~

~~(a) Principal arterial ratio weighted by three.~~

~~(b) Minor arterial ratio weighted by two.~~

~~(c) Collector arterial ratio weighted by one.~~

~~Urban arterial trust account funds apportioned to the five regions of the state outside the federal urban areas (incorporated cities) shall not be divided by functional class of arterial.)) formula shall be defined in the following manner:~~

~~(1) One-third in the ratio which the population of the urban areas of each region bears to the total population of all of the urban areas of the state as last determined by the office of financial management;~~

~~(2) One-third in the ratio the vehicle to mile ratio traveled on the classified arterial system prescribed in RCW 47.26.180, within the urban areas of each region bears to the total vehicle to mile ratio traveled on all classified urban arterial systems;~~

~~(3) One-third in the ratio which the city and county urban arterial needs within the urban areas of each region bears to the total urban arterial needs on city and county~~

urban arterials within all urban areas of the state as last revised by the board.

The distribution of funds within each region shall be administered so as to permit complete urban arterial trust account projects in each arterial classification to be authorized and funded.

NEW SECTION

WAC 479-16-085 Funding for pedestrian facilities. The board may set aside a percentage of urban arterial trust account funds to be used for the improvement or construction of pedestrian facilities.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

~~WAC 479-16-098 ((Evaluation and approval of designated bikeway system.)) **Inclusion of bicycle facilities in transportation improvement board projects.** ((The bikeway plan of each urban city or county shall be submitted)) If an eligible agency has a project funded by transportation improvement board funds that includes the construction of bicycle facilities, the agency shall submit their bikeway plan to the board in map form along with the agency's verification that the plan has been:~~

~~(1) Integrated with existing "user designated," as well as officially designated bikeways.~~

~~(2) Integrated with bikeways of adjacent units and levels of government.~~

~~(3) Reviewed with, and approved by, the agency's legislative body.~~

~~The total bikeway plan of the agency shall identify separately arterial bikeways, as previously defined, that would be desired to be improved in conjunction with an arterial construction project.~~

~~The board shall notify the submitting city or county of its concurrence in the bikeway plan after such plan has been reviewed and found to be reasonable in relation to the rules adopted by the board. The proposed bicycle facility shall be in accordance with definitions, criteria, and design standards shown in Chapter 1020 of the Washington Department of Transportation Design Manual.~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 479-16-070	Standards for functional classification of urban arterials.
WAC 479-16-072	Classification standards for arterials in rural incorporated areas.
WAC 479-16-090	Introduction and purpose.
WAC 479-16-091	Definitions.
WAC 479-16-092	Conceptual approach to bikeway system designation and development.
WAC 479-16-094	Criteria for bikeway system designation.
WAC 479-16-096	Design standards for bikeways.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-20-007 Matching ratios for urban arterial trust account funds. (~~Urban arterial trust account moneys for city and county arterial projects originally authorized by the board for either the design phase or the construction phase between May 20, 1971, and July 1, 1985, shall be matched from local funds by an amount not less than ten percent of the total cost of the construction for the life of the project.~~)

Urban arterial trust account (~~moneys~~) funds for (~~city and county~~) local agency arterial projects (~~lying within federally designated urban areas authorized by the board on or after July 1, 1985,~~) shall be matched (~~by an amount not less than twenty percent~~) in accordance with the following scheduled percentage of the total project cost (~~of the construction project~~).

City with a population from 5,000 to 9,999 or a 3rd Class county or smaller - 10% match

City with a population from 10,000 to 14,999 or a 1st or 2nd Class county - 15% match

City with a population from 15,000 and up or a Class AA county and over - 20% match

(~~Urban arterial trust account moneys for city arterial projects lying outside federally designated urban areas authorized by the board on or after July 1, 1985, shall be matched by not less than ten percent of the total cost of the construction project.~~)

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-20-010 Reimbursable costs. Project costs eligible for reimbursement from the account shall be those proper and allowable costs incurred on a project after the project is authorized by the board except as provided by the following:

~~((1) In the case of two phase project authorizations, approved by the board prior to July 1, 1987, the director may, after the administering agency has completed the environmental impact analysis, authorize right of way acquisition. Reimbursement from the account will be available for eligible right of way costs if and when the construction phase of the project is approved by the board. For projects approved by the board after July 1, 1987,))~~ Reimbursement of right of way acquisition costs are eligible within the ((preliminary)) design phase of the project. In the event the project is not built, those funds expended for right of way shall be refunded to the account.

~~((2) In the case where an agency is required to perform a value engineering study prior to authorization of the preliminary phase, those costs incurred prior to approval will be eligible for reimbursement if and when the project is approved for funding by the board.~~

~~(3) The eligible preliminary and construction engineering costs shall be limited to twenty five percent of the original bid amount including adjustments for construction overruns, underruns, or agency force construction. Agency costs for the value engineering study and the right of way appraisals and acquisition costs will not be used to determine the amount subject to the limit.))~~

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-20-011 Reimbursable costs for engineering. (~~After July 1, 1987, preliminary~~) Design and construction engineering costs eligible for reimbursement shall be limited to twenty-five percent of the approved contract bid amount including adjustments for change orders and actual quantity amounts during construction (~~overruns, underruns, or~~) and agency force construction. Agency costs for value engineering and other special studies and right of way appraisals and acquisition costs will not be used to determine the amount subject to the limit.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-20-013 Direct costs. Direct costs eligible for board participation are those costs which are directly attributable to a specific project and shall include:

(1) Direct labor (engineering and/or construction) including related employee benefits:

(a) Salaries and wages (at actual or average rates) covering productive labor hours of city and county employees (excluding the administrative organization of the operating unit involved) for periods of time, actively or incidentally engaged in (~~(a) preliminary~~) (i) predesign engineering, (ii) design engineering, ((b)) (iii) construction engineering, ((c)) (iv) acquisition of rights of way, and ((d)) (v) actual construction activities are considered a direct cost of construction projects. The cost of services rendered by employees generally classified as administrative are considered a direct cost only when such employees are assigned for short periods of time to perform on a full time basis the types of services described above and when similar procedures are followed for nonboard projects.

(b) Employee benefits relating to direct labor are considered a direct cost of construction projects. The following items may be included as employee benefits:

- (i) F.I.C.A. (Social Security) - employer's share
- (ii) Retirement benefits
- (iii) Hospital, health, dental and other welfare insurance
- (iv) Life insurance
- (v) Industrial and medical insurance
- (vi) Vacation
- (vii) Holiday
- (viii) Sick leave
- (ix) Military leave and jury duty

Employee benefits shall be calculated as a percentage of direct labor dollars. The computation of predetermined percentage rates to be applied to current labor costs shall be based upon the average of total employee benefits and total labor costs for the prior fiscal year and adjusted by known current year variations.

(2) Contract engineering services

(3) Right of way acquisition costs including:

- (a) Purchase of land and easements acquired for and devoted to the project;
- (b) Purchase of improvements;
- (c) Adjustment or reestablishment of improvements;
- (d) Salaries, expenses or fees of appraisers, negotiators or attorneys;
- (e) Removal or demolition of improvement;

(f) Other direct costs in connection with the acquisition. Amounts received from the sale of excess real property or improvements and from any rentals shall be a reduction of the direct cost.

(4) Contract construction work

(5) Direct vehicle and equipment charges at the actual rental cost paid for the equipment or, in the case of city or county owned equipment, at the rental rates established by the city's or county's "equipment rental and revolving fund" following the methods prescribed by the division of ~~((municipal corporations))~~ audit: *Provided*, That such costs shall be charged on a uniform basis to equipment used for all projects regardless of the source of funding. Cities with a population of 8,000 or less which may not use this type of fund shall be allowed the same rates as used by the department of ~~((highways))~~ transportation.

(6) Direct materials and supplies. The cost of materials used in projects shall be based upon methods prescribed for the "equipment rental and revolving fund" by the division of ~~((municipal corporations))~~ audit.

(a) An overhead rate or "loading factor" shall not be considered an appropriate additive to the actual cost of materials and supplies used on construction projects unless the factor is readily and properly supportable by the governmental unit's accounting records.

(b) The cost, or reasonable estimate thereof, of materials paid for as contract estimate items, but not used, shall be considered a reduction of direct costs. Any material which may be salvaged in connection with a project shall be assigned a reasonable value and considered a reduction of direct costs.

(7) Interdepartmental charges for work performed by county or city departments, other than the road or street department, for the benefit of specific construction projects shall be limited to direct costs plus an allocation of indirect costs based upon 10% of direct labor dollars, excluding employee benefits. Such indirect costs shall be determined by a rate which is readily and properly supportable by the governmental unit's accounting records and shall be the same rate as applied to nonboard projects; however, this rate shall not exceed the indirect cost allocation rate established by the board. If individual units of government do not have such an internal indirect cost allocation rate, the rate predetermined by the board shall be used in determining the amount of indirect costs ~~((includible))~~ includable in the total interdepartmental charges.

(8) Other direct costs incurred for materials or services acquired for a specific project shall be eligible for participation by board funds and may include, but shall not be limited to, such items as:

- (a) Telephone charges
- (b) Reproduction and photogrammetry costs
- (c) Computer usage
- (d) Printing and advertising.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-20-016 Indirect costs. Indirect costs incurred by a local government for common or joint objectives which include an authorized board funded project, and which are not included in those direct costs set forth and

defined in WAC 479-20-013, shall be eligible for ~~((urban arterial trust))~~ board fund participation on a particular project at a rate not to exceed ten percent of direct labor costs, excluding employee benefits, expended by the local government on that project.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-20-020 Partial or progress payments for ~~((construction))~~ project costs. Participation and payment of board funds to counties and cities shall be governed by the following:

(1) Board participation. Board funds shall not participate in any cost which is not incurred in conformity with all applicable federal and state law and the rules, regulations and procedures as may be prescribed by the board promulgated in conformity with the statutes.

(2) Project agreements. Projects for which board funds are requested by the eligible agencies and for which the board has allocated funds will be the subject of a project agreement to be entered into by the eligible agency with the board evidencing acceptance of the conditions to payment of funds, as prescribed by laws and regulations, and the amount of funds to be obligated.

(3) Changes in project work and cost. No material change in the termini, character, or scope of the work on an approved project shall be made without prior concurrence in such changes by the board.

(4) Payments. Eligible agencies are to submit requests for payment ~~((s))~~ of funds claimed to be due on approved projects. Such requests are to be ~~((in the form of vouchers as))~~ on forms prescribed by the board, and shall be certified and accompanied by supporting data as may be required by the board. ~~((Such vouchers))~~ Requests for payment may be submitted from time to time as the work progresses and final requests shall be submitted ~~((promptly at the completion of work on each project. Claims))~~ within six months of contract completion. Payment of TIB funds shall at no time exceed the board's share of the project costs ~~((of construction))~~ incurred to the date of the ~~((voucher covering such))~~ payment request.

(5) Compliance with laws and regulations. If an eligible agency has failed to comply with laws and regulations with respect to a project, payment of funds may be withheld on such projects, or approval of additional projects may be withheld until compliance or remedial action has been accomplished by the eligible agency to the satisfaction of the board.

(6) Progress payments. Progress payments for project costs shall be limited to the board's percentage share of the costs for project development incurred to the date of the ~~((voucher))~~ payment request: *Provided*, That in all projects where the total project cost exceeds the amount of authorized board funds, there shall be imposed a limitation on progress payments in order that the percentage of board fund progress payments in relation to total progress costs as of each ~~((voucher))~~ payment request date shall not exceed the percentage determined by dividing the total authorized amount of board funds by the most recently determined total project cost.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-20-025 Record requirements. All eligible agencies requesting payment of board funds on authorized projects shall have procedures in effect that will provide adequate assurance that payments requested are proper and accurate:

(1) Quantities of complete construction contract work shall be supported by all related source documents upon which payment to the contractor is based. These source documents shall include, but shall not be limited to, tickets for items measured on a weight or volume basis, cross section notes, inspector's diaries, engineering calculations for items measured in place, material tests, shipping invoices for steel, and all other field records normally developed by field engineers to support final quantities paid to contractors. The quantity field record should be summarized so that final pay estimates would lend themselves to comparison with supporting records.

(2) All appraisal reports, record of negotiations with grantors including a negotiator's diary indicating dates of contracts, offers made, and final acceptance by grantor, title insurance documents, transfer documents such as warranty deeds, quit claim deeds, easements, contract and sale documents, shall be maintained.

(3) Daily labor time records, equipment use records, requisitions for materials used, invoices for goods and services, and other invoices shall be maintained. Records shall also be maintained which support employee benefit percentages which are used in calculating amounts charged to construction projects.

(4) All records shall be retained in compliance with the requirements of the division of ~~((municipal corporations))~~ audit and until ((after audit by the board designee)) notification from the board that a project audit is complete or is not required.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-20-027 Audits of urban arterial project records. Projects shall be audited in accordance with the policy adopted by the board. Project records for each project developed through the use of board funds may be audited to determine that funds paid can be attributed to the project and supported by project records. The audit will determine if there has been compliance with the rules of the board. Projects may be audited by the board at the time of the project completion or at such additional times as may be directed by the director.

The director may, where the cumulative amount of audit exceptions is less than ~~(((\$250.00))~~ five hundred dollars in board funds, advise the agency that no recovery of funds is requested.

Audit exceptions which the director considers to be significant in relation to board rules or significant in amount to warrant potential recovery of funds, shall be furnished to the administering agency to allow an opportunity to respond in writing to the audit report.

After reviewing the written response, the director, shall advise the agency whether any recovery of funds is indicated.

If recovery of board funds is indicated, as determined by the director, or by the board, the agency shall be provided ninety days from the date of the notice from the board to make repayment.

If repayment of funds by the agency is not made within ninety days from the date of the notice from the board, the subject shall be placed before the board for review and action.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-20-031 Expenditure schedule of urban arterial trust account ~~((and transportation improvement account))~~ funds. Each eligible agency having an approved project shall, ~~((prior to the beginning of each quarter))~~ when requested by the director, submit an updated schedule of its estimated demand for board funds to the board. This schedule shall be on forms provided by the board and shall include the estimated demand for board funds ~~((for the project for:~~

~~(1) The next succeeding quarter;~~
~~(2) Subsequent quarters))~~ biannually until project completion.

Such estimates shall be differentiated between the ~~((preliminary))~~ design engineering, right of way and construction stages of project development.

Additional information pertaining to estimated demands for board funds by eligible agencies may be requested by the director as required to permit adequate funding of the programs.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-20-037 Procedure to request increase in board funds. The amount of funds approved ~~((by the board after July 1, 1987;))~~ will be based upon the amount requested in the ~~((current separate section of the local agency's six-year transportation program))~~ design prospectus. This amount may be adjusted from the amount shown in the project application with adequate justification. The authorized funds and scope of work approved by the board at the design phase will be the base for comparison in the following phases.

Local agencies may request an increase in the participation of funds over the amount set forth in the ~~((six-year transportation program at the preliminary prospectus;))~~ design phase, at the construction ((prospectus)) phase, bid opening or contract completion ((stage)) of a project in accordance with the following procedures:

(1) At the ~~((preliminary or))~~ construction ((prospectus stage)) phase all requests shall be reviewed by the director ~~((and he)).~~ The director shall report ((his)) the findings to the board for its review, consideration and final action. The board shall not grant a request for increase at ~~((these stages))~~ this phase if:

(a) The requested increase is to pay for an expansion of the scope of the work ~~((originally proposed; or))~~ that is beyond the work required to accomplish the intent of the project as approved at the design phase.

(b) The granting of the request will obligate funding beyond the level acceptable to the board or will in any way

adversely affect authorized funds previously approved by the board including the reserve for the following:

(i) Increases at bid opening that will not exceed ten percent of the engineers estimate multiplied by the account matching ratio.

(ii) Increases for construction overruns at the amount equal to the account matching ratio multiplied by the sum of ten percent of the original contract amount up to one million dollars and five percent of the amount in excess of one million dollars for those projects which have been approved for the construction phase.

(2) Request for increases at bid opening shall not exceed ten percent of the engineers estimate submitted to the board at the time the construction phase was approved multiplied by the account matching ratio. Requests for increases at this ((stage)) phase will take priority over ((preliminary)) design and construction phase approvals. Such requests shall be reviewed by the director and will not be approved if:

(a) The requested increase is to pay for an expansion of the authorized scope of the work ((originally proposed)); or

(b) If the request is not substantiated and the director determines that the increased funds should have been anticipated by the local agency at the construction ((prospectus stage)) phase of the project.

(3) Requests for increases in funds submitted to the board at ((the)) contract completion ((stage)) shall not exceed the account matching ratio multiplied by the sum of ten percent of the original contract amount up to one million dollars and five percent of the amount in excess of one million dollars. Requests for increases at this ((stage)) phase will take priority over ((preliminary)) design and construction phase approvals. Such requests shall be reviewed by the director and will not be approved if:

(a) The requested increase is to pay for an expansion of the authorized scope of the work ((originally proposed)); or

(b) If the request is not substantiated and the director determines that the increased funds should have been anticipated by the local agency at the ((preliminary or)) construction ((prospectus stage)) approval phase of the project.

(4) If the director or the board, as the case may be, does not approve the request of a local agency for an increase ((at the preliminary prospectus, construction prospectus, bid opening or contract completion stage)), the administering agency may:

(a) Proceed with the project, paying for any additional costs with local or other funds; or

(b) Withdraw the request for participation; or, if applicable

(c) Within the ((original)) authorized amount ((requested)), and subject to approval by the director, reduce the scope of the project while retaining a usable and functional improvement.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-20-086 Review of delayed projects. The director ((shall)) may contact, in writing, each local agency administering a transportation improvement board-funded project that appears to be delayed when evaluated in relation to the ((approved)) proposed schedule for project develop-

ment. ((Any)) If the agency ((that)) does not respond to the inquiry of the director within twenty days explaining whether the project is delayed and, if so, the reasons therefore, may be placed before the board as a candidate for cancellation as a delayed project.

The written response ((of each)) from the administering agency shall be reviewed to determine if the reason or reasons for ((each)) the project ((s)) delay is acceptable. ((Any project that appears to be delayed for an unacceptable reason shall be so)) The administrative agency will be advised by certified mail by the director if the delay is for an unacceptable reason. The letter from the director shall advise the local agency that:

(1) The project is delayed for an unacceptable reason;

(2) The local ((government)) agency has a period of three months from the date of the director's letter to resolve the reason or reasons for delay and to provide evidence to the board that the problems have been resolved. Such evidence shall, if requested by the director, include a time schedule for project development ((CPM schedule)) which sets forth project development dates in sufficient detail to permit monthly monitoring of project progress.

(3) If the reason or reasons for delay are not resolved within the specified time period, the project may be placed before the board as a candidate for cancellation.

The administering agency for any project placed before the board as a candidate for cancellation shall be requested to appear before the board to explain the status of the project.

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-20-095 Identification and consideration of ((underruns)) surplus funds on authorized urban arterial trust account projects. When requested by the director, by certified mail, each project authorized for financial assistance from the ((urban arterial trust account shall be reviewed by the director as of the last day of each quarter)) local agency shall review their project to identify probable ((underruns)) reductions in project cost in relation to the previously authorized amount of urban arterial trust funds. ((Each agency administering a project on which there appears to be a probable underrun shall be contacted by certified mail and requested to)) The agency shall review the project to:

(1) Close the project by submitting a final ((voucher)) request for payment and summary cost documents if all work has been completed; or

(2) Advise the board of total costs to date, remaining costs necessary to complete the project, and the amount of estimated ((underrun)) surplus funds, if any, on the project.

Each response shall be reviewed by the director to determine whether the explanations appear reasonable and whether the agency appears to be pursuing the completion of the project at a reasonable rate. Any project where the administering agency does not appear to be pursuing the project to completion at a reasonable rate, or fails to submit a final ((voucher when)) request for payment within six months from the date that all work appears to be ((completed)) complete, shall be referred by the director to the board for appropriate action.

Each agency administering a project that is not considered to be developing to completion at a reasonable rate, or fails to submit a final (~~(voucher)~~) request for payment within six months when all physical work appears to be completed, shall be notified by the director by certified mail that the project is being scheduled for a hearing before the board at a specified time and place. The agency shall be requested to provide suitable representation to such board meeting to explain the status of the (~~(previously)~~) authorized project, the reasons why the project has not been completed and finalized out, the amount of urban arterial trust funds estimated to be required to complete the project, and the resulting (~~(under-run)~~) surplus in relation to previously authorized urban arterial trust funds.

~~((Information presented by each agency regarding the status of each project upon which there appears to be an underrun in relation to the authorized amount of urban arterial trust funds shall be evaluated by the board. If the administering agency does not respond to the board's request for presentation to the board regarding the status of the project, or if the agency does not adequately substantiate its need to retain the originally authorized amount of urban arterial trust funds, the board may reduce the remaining amount of authorized urban arterial trust funds to that amount reasonably necessary to complete the authorized urban arterial project.))~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

- | | |
|----------------|---|
| WAC 479-20-033 | Procedure for requesting an increase in authorized amount of urban arterial trust funds. |
| WAC 479-20-036 | Consideration of requests for an increase in authorized amount of urban arterial trust funds. |
| WAC 479-20-075 | Emergent nature urban arterial trust account projects. |

AMENDATORY SECTION (Amending WSR 90-11-035, filed 5/10/90, effective 6/10/90)

WAC 479-24-030 Timing of the ~~((EIS))~~ environmental review process. (1) As provided by WAC 197-11-055, the ~~((EIS))~~ environmental review process shall be completed before the board is irrevocably committed to a particular course of action. At the same time, the ~~((EIS))~~ environmental review process should not be undertaken until a proposal is sufficiently definite to allow meaningful environmental analysis.

(2) The threshold determination or any required ~~((EIS))~~ environmental documentation for the board's action of a nonproject nature shall be completed prior to official adoption of the action in question.

(3) The threshold determination or any required ~~((EIS))~~ environmental documentation for board action of a project nature shall in all cases be completed prior to the determination to construct the project in question. While the board may tentatively affirm the choice of a particular location or design based upon completion of the draft ~~((EIS))~~ environ-

mental documentation, final determination to construct shall not occur until a final threshold determination has been made or a final ~~((EIS))~~ environmental documentation has been prepared.

(4) As provided by chapter 173-420 WAC, in areas subject to a state implementation plan, no state agency or local government shall approve or fund a transportation project within or that affects a nonattainment area unless a determination has been made that the project conforms with the state implementation plan for air quality as required by the Federal Clean Air Act.

Chapter 479-112 WAC SUBMISSION OF PROPOSED ~~((FIA))~~ TRANSPORTATION IMPROVEMENT ACCOUNT (TIA) PROJECTS TO TRANSPORTATION IMPROVEMENT BOARD

NEW SECTION

WAC 479-112-001 Purpose and authority. RCW 47.26.160 provides that the transportation improvement board shall adopt reasonable rules necessary to implement the transportation improvement account.

NEW SECTION

WAC 479-112-003 Transportation improvement account program intent. The intent of the program is to improve mobility of people and goods in Washington state by supporting economic development and environmentally responsive solutions to our state-wide transportation system needs.

NEW SECTION

WAC 479-112-0055 Definitions. For purposes of implementing the requirements of RCW 47.26.084 relative to the transportation improvement account, the following definitions shall apply:

- (1) Board - when board is used in this chapter, it refers to the transportation improvement board.
- (2) Director - the executive director of the transportation improvement board.
- (3) Urban area - the term "urban area" as used in this chapter refers to the portion of a county within the federal urban area boundary as designated by FHWA.
- (4) Eligible agencies - the transportation improvement account eligible agencies are:
 - (a) Counties that have an urban area or a population of five thousand or more.
 - (b) All cities within an urban area.
 - (c) Urban area transportation benefit districts.
 - (5) Eligible projects.
 - (a) Improvements on federally classified arterials.
 - (b) Improvement involving state highway and transit when they are part of a joint project with eligible agencies.
 - (c) A project within the federal urban boundary or a project that extends partially or is totally beyond the federal urban boundary and is an extension of a federally classified arterial which connects two other federally classified arterials.
 - (d) A project that is on the federal functional classification system and in an area that is outside of the federal

urban boundary, but has definite urban characteristics as defined by local comprehensive plans.

AMENDATORY SECTION (Amending Order 89-2, Resolution No. 035, filed 6/22/89)

WAC 479-112-008 Verification of coordination with planning authority for transportation improvement account projects. All applications for TIA funding shall be consistent with the regional transportation plan. In areas of the state where there is no regional transportation planning authority, a letter of verification shall be signed by the chair of the lead agency legislative authority.

AMENDATORY SECTION (Amending Order 89-2, Resolution No. 035, filed 6/22/89)

WAC 479-112-009 Planning requirements for multiagency transportation improvement account projects. The board requires joint planning for all TIA funded multiagency projects. The lead agency shall submit documentation to the board stating that the approving authority of each agency involved in the project has indicated support for the project. In the case of projects that stop at or near a corporate boundary or could affect other transportation agencies facilities or programs, a copy of a letter requesting review by other affected agencies shall accompany the project ((preapplication)) application.

AMENDATORY SECTION (Amending WSR 90-16-028, filed 7/23/90, effective 8/23/90)

WAC 479-112-017 Local/private matching funds on transportation improvement account projects. (((+))) TIA ((moneys)) funds for urban program projects authorized by the board shall be matched by an amount not less than twenty percent of the total cost of the transportation project. Matching funds will be considered to be all contributions other than those provided by the board.

(((2) TIA moneys for the small cities program projects authorized by the board for cities and towns with population greater than five hundred shall be matched by not less than five percent of the total cost of the transportation project. There is no matching fund requirement for cities and towns with a population equal to or less than five hundred. Matching funds will be considered to be all contributions other than those provided by the board.))

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 479-112-005 Agencies eligible for transportation improvement account funds.

AMENDATORY SECTION (Amending Order 89-2, Resolution No. 035, filed 6/22/89)

WAC 479-113-010 Six-year programs for transportation improvement account projects. (((1) The six-year transportation programs of urban area cities and counties

required, respectively, by RCW 35.77.010 and 36.81.121, shall be divided into sections:

(a) ~~The basic six-year transportation program for the following six years based upon estimated revenues other than proposals for board funds for new projects.~~

(b) ~~A separate supplemental section of the six-year transportation program setting forth proposals, if any, for board funds for new projects to begin in the following biennial period.~~

(2) ~~The separate supplemental section of the six-year transportation program setting forth proposed new projects utilizing board funds shall be considered as supplemental to the basic six-year transportation program and shall not contain duplicate projects: Provided, That the same project may appear in both the basic and supplemental six-year transportation programs if:~~

(a) ~~The local agency intends to construct the project with other funds if TIA funds are not approved.~~

(b) ~~The total dollar amount of the basic six-year transportation program approximates estimated revenues available for construction for the following six-year period.~~

~~Upon board approval of any new project for financial assistance from the board, such project shall be amended into the basic six-year transportation program.~~

~~The responses to the TIA funding criteria questions and inventory data for each proposed project shall be prepared under the supervision of a registered engineer in the state of Washington.) All projects should be on the six-year program, as required by RCW 35.77.010 and 36.81.121, prior to transportation improvement board approval and shall be consistent with the Growth Management Act and the state and Federal Clean Air Acts, where applicable.~~

A copy of the ((basic)) six-year transportation program and the separate supplemental section of the six-year transportation program shall be submitted to the board along with a copy of the resolution of the city or county adopting such program. The TIA project ((preapplication form)) application setting forth new project proposals for the TIA funding, shall be submitted to the board on ((preapplication)) forms provided by the board.

AMENDATORY SECTION (Amending Order 89-2, Resolution No. 035, filed 6/22/89)

WAC 479-113-011 Priority criteria for transportation improvement account projects. The ((lead agency shall evaluate its proposed TIA projects by utilizing the)) following criteria ((which)) shall ((also)) be utilized by the TIB to prioritize projects:

(((1) Multiagency involvement in projects.

(2) Multimodal solutions for projects including but not limited to transit, high occupancy vehicle (HOV) lanes, ferry or high capacity transit/rail.

(3) Improvements necessitated by existing or foreseeable congestion or safety problems due to economic development or growth.

(4) The percentage of agency(ies) and private matching funds.

(5) For the small cities program projects, structural or geometric deficiencies.

PROPOSED

~~(6) Other factors deemed appropriate by the board on a case-by-case basis.)~~ (1) The percentage of agency(ies) and private matching funds.

(2) Multimodal solutions for projects including but not limited to transit, high occupancy vehicle (HOV) lanes, ferry, high capacity transit/rail, or intermodal facility.

(3) Economic development is encouraged.

(4) Multiagency involvement in projects.

(5) Mobility enhancement by betterment of service level.

(6) Improvements necessitated by existing or foreseeable congestion or safety problems due to economic development or growth.

(7) Other considerations demonstrating improvement of the local transportation system such as pavement management system (PMS), traffic demand management (TDM) or local transportation funding.

AMENDATORY SECTION (Amending Order 89-2, Resolution No. 035, filed 6/22/89)

WAC 479-113-029 Establishing regions for transportation improvement account program. For the purpose of apportioning TIA funds to the urban ~~((and small cities))~~ program~~((s))~~, the counties of the state are grouped within three regions of the state as follows:

(1) East region shall include eligible agencies within the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima.

(2) Puget Sound region shall include eligible agencies within the counties of King, Pierce, and Snohomish.

(3) West region shall include eligible agencies within the counties of Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, Kitsap, Lewis, Mason, Pacific, San Juan, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom.

AMENDATORY SECTION (Amending Order 89-2, Resolution No. 035, filed 6/22/89)

WAC 479-113-031 Allocation of transportation improvement account funds to regions. ~~((+))~~ Of the funds in the urban program, forty percent will be allocated to projects on a state-wide basis and then, at least fifteen percent will be allocated to projects in the East region, at least fifteen percent to projects in the West region, and ~~((at least))~~ approximately thirty percent to projects in the Puget Sound region. ~~((An amount not to exceed ten percent of the urban funds will be placed in a contingency fund as provided for in WAC 479-113-032.~~

~~(2) Of the funds in the small cities program, the amount allocated to projects in a region will be within plus or minus five percent of the ratio which the population of cities under five thousand in a region bears to the state-wide population for cities under five thousand as last determined by the office of financial management.)~~

AMENDATORY SECTION (Amending WSR 90-16-028, filed 7/23/90, effective 8/23/90)

WAC 479-113-035 Value engineering study requirements for transportation improvement account projects.

Value engineering studies shall be ~~((performed))~~ required in accordance with the policy adopted by the board.

NEW SECTION

WAC 479-113-070 Procedures for project phase approval for transportation improvement account projects. The procedures for project phase approvals shall be as provided for in WAC 479-13-070.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 479-113-032 Contingency fund for the transportation improvement account urban program.

NEW SECTION

WAC 479-116-010 Methods of construction for transportation improvement account projects. The methods of construction shall be as provided for in WAC 479-16-010.

AMENDATORY SECTION (Amending Order 89-2, Resolution No. 035, filed 6/22/89)

WAC 479-116-016 Certification of ~~((completion of))~~ completed work for transportation improvement account projects. Each ~~((voucher))~~ request for payment shall be submitted in accordance with WAC 479-16-016.

AMENDATORY SECTION (Amending Order 89-2, Resolution No. 035, filed 6/22/89)

WAC 479-116-035 Undergrounding utilities on transportation improvement account projects. TIA funds ~~((shall participate in undergrounding))~~ can be used to underground utilities under conditions as provided for in WAC 479-16-035.

AMENDATORY SECTION (Amending Order 89-2, Resolution No. 035, filed 6/22/89)

WAC 479-116-045 Project plantings on transportation improvement account projects. TIA funds may ~~((participate in))~~ be used for the cost of project plantings in accordance with WAC 479-16-045.

NEW SECTION

WAC 479-116-070 Funding for pedestrian facilities. The board may set aside a percentage of transportation improvement account funds to be used for the improvement or construction of pedestrian facilities.

NEW SECTION

WAC 479-116-080 Inclusion of bicycle facilities in TIB projects. If an eligible agency has a project funded by transportation improvement account funds that includes the construction of bicycle facilities, the agency shall submit their bikeway plan to the board in map form along with the agency's verification that the plan has been:

PROPOSED

(1) Integrated with existing "user designated," as well as officially designated bikeways.

(2) Integrated with bikeways of adjacent units and levels of government.

(3) Reviewed with, and approved by, the agency's legislative body.

The total bikeway plan of the agency shall identify separately arterial bikeways, as previously defined, that would be desired to be improved in conjunction with an arterial construction project.

The board shall notify the submitting city or county of its concurrence in the bikeway plan after such plan has been reviewed and found to be reasonable in relation to the rules adopted by the board.

The proposed bicycle facility shall be in accordance with definitions, criteria, and design standards as shown in Chapter 1020 of the *Washington State Department of Transportation Design Manual*.

NEW SECTION

WAC 479-120-010 Reimbursable costs for transportation improvement account projects. The reimbursable costs for transportation improvement account projects shall be in accordance with WAC 479-20-010.

NEW SECTION

WAC 479-120-011 Reimbursable costs for engineering for transportation improvement projects. The reimbursable costs for engineering for transportation improvement account projects shall be in accordance with WAC 479-20-011.

NEW SECTION

WAC 479-120-013 Direct costs for transportation improvement account projects. The direct costs eligible for reimbursement for transportation improvement account projects shall be as specified in WAC 479-20-013.

NEW SECTION

WAC 479-120-016 Indirect costs for transportation improvement account projects. The indirect costs eligible for reimbursement for transportation improvement account projects shall be as specified in WAC 479-20-016.

NEW SECTION

WAC 479-120-025 Record requirements for transportation improvement account projects. The record requirements for transportation improvement account projects shall be as specified in WAC 479-20-025.

NEW SECTION

WAC 479-120-027 Audits of transportation improvement account project records. Audits for transportation improvement account projects shall be in accordance with WAC 479-20-027.

NEW SECTION

WAC 479-120-031 Expenditure schedule of transportation improvement account funds. The demand for transportation improvement account funds shall be submitted to the board in accordance with WAC 479-20-031.

NEW SECTION

WAC 479-120-037 Procedure for requesting an increase in authorized amount of transportation improvement account funds. An increase in the amount of transportation improvement account funds in a project may be requested in accordance with the provisions of WAC 479-20-037.

NEW SECTION

WAC 479-120-086 Review of delayed projects for the transportation improvement account program. The review of delayed transportation improvement account projects shall be in accordance with WAC 479-20-086.

NEW SECTION

WAC 479-120-089 Recovery of transportation improvement account funds on canceled projects. The recovery of transportation improvement account funds paid to the local agency shall be in accordance with the provisions of WAC 479-20-089.

NEW SECTION

WAC 479-120-095 Identification and consideration of surplus funds on authorized transportation improvement account projects. The identification and consideration of surplus funds for transportation improvement account projects shall be in accordance with WAC 479-20-095.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 479-120-033 Procedure for requesting an increase in authorized amount of transportation improvement account funds.

Chapter 479-216 WAC REQUIREMENTS FOR ((ROAD)) ROUTE JURISDICTION TRANSFER REQUESTS

AMENDATORY SECTION (Amending WSR 91-23-091, filed 11/19/91, effective 12/20/91)

WAC 479-216-050 Annual cutoff date for jurisdiction transfer requests. Prior to ((April 1)) February 1, yearly, cities, counties or the department of transportation shall submit requests for jurisdiction transfer to the board using forms provided by the board. The request shall be in conformance with the procedures established in this chapter.

AMENDATORY SECTION (Amending WSR 91-23-091, filed 11/19/91, effective 12/20/91)

WAC 479-310-050 Adoption of rules. The board is required to utilize the following criteria, established by the ~~((road))~~ route jurisdiction study to adopt rules to implement the program:

(1) Only those cities with a net gain in cost responsibility due to jurisdictional transfers in chapter 342, Laws of 1991, as determined by the board, may participate;

(2) Cities with populations of fifteen thousand or less, as determined by the office of financial management, may participate;

(3) The board shall develop criteria and procedures under which eligible cities may request funding for rehabilitation projects on city streets acquired under chapter 342, Laws of 1991; and

(4) The board shall also be authorized to allocate funds from the city hardship assistance program to cities with a population under twenty thousand to offset extraordinary costs associated with the transfer of roadways other than pursuant to chapter 342, Laws of 1991, that occur after January 1, 1991.

AMENDATORY SECTION (Amending WSR 91-23-091, filed 11/19/91, effective 12/20/91)

WAC 479-310-200 Administration costs. The board costs for necessary staff services and facilities that are attributable to the city hardship assistance program shall be paid from the ~~((urban arterial trust))~~ city hardship assistance account in the motor vehicle fund in a prorated amount of anticipated expenditures of the city hardship assistance program in ratio to the anticipated expenditures of the other programs administered by the board.

AMENDATORY SECTION (Amending WSR 91-23-091, filed 11/19/91, effective 12/20/91)

WAC 479-312-100 Data to be submitted for CHAP project application. Prior to ~~((April 1))~~ February 1, yearly, each eligible agency shall submit their proposed CHAP projects to the board on forms provided by the board. The type of work involved in the proposed projects shall be in accordance with the requirements of chapter 479-316 WAC. The application must be specific and accompanied by a detailed cost estimate.

Chapter 479-410 WAC SMALL CITY ACCOUNT PROGRAM RULES AND REGULATIONS

NEW SECTION

WAC 479-410-010 Purpose and authority. RCW 47.26.160 provides that the transportation improvement board shall adopt reasonable rules necessary to implement the small city account program. The board shall develop criteria and procedures under which eligible cities may request funding for projects on city streets.

NEW SECTION

WAC 479-410-020 Small city account program intent. The intent of the small city account program is to preserve and improve the roadway system in a manner that is consistent with local needs.

NEW SECTION

WAC 479-410-100 Funds for the small city account program. RCW 47.26.084 provides funding for the small city account program.

NEW SECTION

WAC 479-410-150 Definitions. For purposes of implementing the requirements of RCW 47.26.160, relative to the small city account, the following definitions shall apply:

(1) Board - When board is used in this chapter, it refers to the transportation improvement board.

(2) SCA - This is the abbreviation for the small city account. The account is funded from thirteen percent of the transportation improvement account and five percent of the urban arterial trust account.

(3) Eligible agency - An eligible agency is a city or town that has a population of less than five thousand.

(4) Eligible project - An eligible project is an improvement that has been approved by the board.

(5) Rehabilitation - This work may include reworking or strengthening the base or subgrade, recycling or reworking existing materials to improve their structural integrity, adding underdrains, improving or widening shoulders.

NEW SECTION

WAC 479-410-160 Classification standards for arterials in small cities. Incorporated areas outside federal designated urban areas shall be required to identify their streets as either arterials or local access. An arterial shall be defined by at least one of the following standards:

(1) Serves as the logical extension of a county arterial into the corporate boundary; or

(2) Serves as a route connecting local (traffic) generators such as schools, medical facilities, social centers, recreational areas, commercial centers, or industrial sites within the corporate boundary; or

(3) Acts as a bypass or truck route to relieve the central core area.

Streets failing to qualify under these standards for arterials are not eligible for small city account funds.

NEW SECTION

WAC 479-410-170 Establishing regions for small city account program. Establishment of regions for the small city account will be in accordance with WAC 479-113-029.

NEW SECTION

WAC 479-410-180 Allocation of small city account funds to regions. Of the funds in the small city account, the amount allocated to projects in a region will be within

plus or minus five percent of the ratio which the population of cities under five thousand in a region bears to the state-wide population for cities under five thousand as last determined by the office of financial management.

NEW SECTION

WAC 479-410-200 Administration costs. The board costs for necessary staff services and facilities that are attributable to the small city account shall be paid from the small city account in a prorated amount of anticipated expenditure of small city account funds in ratio to the other anticipated expenditures of funds from the other programs administered by the board.

Chapter 479-412 WAC SUBMISSION OF SMALL CITY ACCOUNT PROJECTS

NEW SECTION

WAC 479-412-020 Time and place for submission of proposed small city account projects. All project prospectuses submitted for funding from the small city account will be submitted in accordance with the requirements of WAC 479-12-020.

NEW SECTION

WAC 479-412-100 Application for small city account projects. Prior to March 1, yearly, eligible agencies shall submit their proposed small city account projects to the board on forms provided by the board. The application must be specific and accompanied by a detailed cost estimate.

NEW SECTION

WAC 479-412-150 Six-year transportation plan requirements for small city account projects. Prior to the board's approval of a small city account project, it shall be included in the annual update of the six-year transportation program of the local agency.

NEW SECTION

WAC 479-412-200 Other applicable federal, state and local regulations. All small city account projects shall comply with applicable federal, state and local laws, policies, regulations and ordinances.

NEW SECTION

WAC 479-412-250 Priority criteria for small city account projects. The board will use the following criteria to prioritize proposed small city account projects:

- (1) Structural ability to carry loads (pavement condition);
- (2) Roadway width;
- (3) Safety; and
- (4) Other factors: Criteria deemed appropriate by the board on a case-by-case basis.

NEW SECTION

WAC 479-412-300 Matching requirements for small city account projects. There will be no local agency matching requirements for cities with a population of five hundred or less. Those agencies with a population over five hundred must provide a minimum local match of five percent.

NEW SECTION

WAC 479-412-310 Order of construction funding of small city account projects. Small city projects shall be considered in the sequence in which the project within each region are, as designed by board rules, ready to be placed under contract for construction. In the event that two or more projects in the same region are proposed for funding at the same board meeting, the request for funds shall be considered in the same priority sequence within region in which the related design proposals were approved. If insufficient funds are available in the account to allow the board to fund the construction phase when requested, the board shall notify the agency that notice will be provided when funds are available to proceed with the request. At that time the agency will be given priority within the appropriate region over all other request for funding submitted after their original request for construction funds.

The board, when considering approval of the construction phase of a project that was previously approved for the design phase, shall take into consideration the current balance of available funds in the account and shall not authorize the construction phase if, in the board's opinion the total funding for construction is not available.

Chapter 479-416 WAC REQUIREMENTS FOR SMALL CITY PROJECT DEVELOPMENT

NEW SECTION

WAC 479-416-010 Methods of construction for small city account projects. The methods of construction shall be as provided for in WAC 479-16-010.

NEW SECTION

WAC 479-416-015 Registered engineer in charge for small city account projects. All projects using small city account funds shall be planned, designed, and constructed under the supervision of a professional engineer registered in the state of Washington.

NEW SECTION

WAC 479-416-016 Certification of completed work for small city account projects. Each request for payment shall be submitted in accordance with WAC 479-16-016.

NEW SECTION

WAC 479-416-018 Design standards for small city account program projects. All small city account funded projects shall be prepared using currently applicable design standards.

NEW SECTION

WAC 479-416-020 Standard specifications for small city account projects. All small city account funded projects shall be constructed in accordance with WAC 479-16-020.

NEW SECTION

WAC 479-416-030 Utility and railroad adjustments and relocations for small city account projects. Utility and railroad adjustments and relocations on small city account funded projects shall be constructed in accordance with WAC 479-16-030.

NEW SECTION

WAC 479-416-035 Undergrounding utilities on small city account projects. Small city account funds may be used in the cost to underground utilities under conditions as provided for in WAC 479-16-035.

NEW SECTION

WAC 479-416-040 Traffic control devices on small city account projects. Traffic control devices included in small city account funded projects shall be installed in conformance with WAC 479-16-040.

NEW SECTION

WAC 479-416-045 Project plantings on small city account projects. Small city account funds may participate in cost for project plantings in accordance with the requirements of WAC 479-16-045.

NEW SECTION

WAC 479-416-050 Acquisition of right of way for small city account program projects. Right of way for small city account funded projects shall be acquired in accordance with chapter 468-100 WAC.

**Chapter 479-420 WAC
FINANCIAL AND PAYMENT REQUIREMENTS
FOR SMALL CITY ACCOUNT PROJECTS**

NEW SECTION

WAC 479-420-010 Eligible project costs for small city account projects. Project costs eligible for reimbursement from the small city account shall be those proper and allowable costs incurred on a project after the project is authorized by the board. Projects will be authorized in two phases, the first phase being design and the second phase being construction.

NEW SECTION

WAC 479-420-011 Eligible costs for engineering for small city account projects. The eligible design and construction engineering costs shall be limited to the amount approved by the board.

NEW SECTION

WAC 479-420-013 Direct costs for small city account projects. The direct costs eligible for reimbursements for small city account projects shall be as specified in WAC 479-20-013.

NEW SECTION

WAC 479-420-016 Indirect costs for small city account projects. The indirect costs eligible for reimbursement for small city account projects shall be as specified in WAC 479-20-016.

NEW SECTION

WAC 479-420-020 Partial or progress payments for small city account project costs. Participation and payment of small city account funds shall be governed by the requirements of WAC 479-20-020.

NEW SECTION

WAC 479-420-025 Record requirements for small city account projects. The record requirements for small city account projects shall be as specified in WAC 479-20-025.

NEW SECTION

WAC 479-420-027 Audits of small city account project records. Audits for small city account projects shall be in accordance with WAC 479-20-027.

NEW SECTION

WAC 479-420-031 Expenditure schedule of small city account funds. The demand for small city account funds shall be submitted to the board in accordance with WAC 479-20-031.

NEW SECTION

WAC 479-420-037 Procedure for requesting an increase in authorized amount of transportation improvement account funds. An increase in the amount of small city account funds for a project may be requested in accordance with the provisions of WAC 479-20-037, except, where in the board's judgment at project completion, ten percent of unexpected project costs would create an undue financial burden on the agency, the board may elect to fund all or a portion of the unexpected cost.

NEW SECTION

WAC 479-420-086 Review of delayed projects for the small city account program. The review of delayed small city account projects shall be in accordance with WAC 479-20-086.

NEW SECTION

WAC 479-420-089 Recovery of small city account funds on canceled projects. The recovery of small city account funds paid to the local agency shall be in accordance with the provisions of WAC 479-20-089.

NEW SECTION

WAC 479-420-095 Identification and consideration of surplus funds on authorized small city account projects. The identification and consideration of surplus funds for small city account projects shall be in accordance with WAC 479-20-095.

December 12, 1994
Robert D. Elliott
Executive Director

SWAPCA 460
CONTROLS FOR NEW SOURCES
OF TOXIC AIR POLLUTANTS

AMENDATORY SECTION

SWAPCA 460 Controls for New Sources of Toxic Air Pollutants. Chapter 173-460 of the Washington Administrative Code is hereby adopted by reference as part of this regulation in all respects as though the sections were set forth herein in full.

**WSR 95-01-057
PROPOSED RULES
SOUTHWEST AIR
POLLUTION CONTROL AUTHORITY**
[Filed December 14, 1994, 9:52 a.m.]

Original Notice.

Title of Rule: SWAPCA 460 "Controls for New Sources of Toxic Air Pollutants."

Purpose: To amend regulations so as to bring the Southwest Air Pollution Control Authority's regulations consistent with those currently contained in the Washington Administrative Code.

Statutory Authority for Adoption: Chapter 70.94 RCW.
Statute Being Implemented: RCW 70.94.141.

Summary: Regulation amendments have been proposed regarding toxic air pollutants.

Reasons Supporting Proposal: Adoption of this amendment will produce commonality between SWAPCA 460 and chapter 173-460 WAC.

Name of Agency Personnel Responsible for Drafting: Lawrence L. Stookey, Vancouver, (206) 574-3058; Implementation: Paul T. Mairose, Vancouver, (206) 574-3058; and Enforcement: Robert D. Elliott, Vancouver, (206) 574-3058.

Name of Proponent: Southwest Air Pollution Control Authority, 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 adoption is to obtain authority for enforcement of the Washington state regulations for air pollution control. Revisions of the Washington Administrative Code have resulted in the need for the Southwest Air Pollution Control Authority regulations to be revised to be consistent with state and federal regulations.

Proposal Changes the Following Existing Rules: Existing SWAPCA 460 will be changed to reflect amendments in chapter 173-460 WAC current on March 21, 1995.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. This is an adoption by reference of existing Washington state rules.

Hearing Location: Southwest Air Pollution Control Authority, 1308 N.E. 134th Street, Vancouver, WA 98685, on March 21, 1995, at 3:00 p.m.

Assistance for Persons with Disabilities: Contact Mary Allen by March 1, 1995, TDD (206) 574-3058, or (206) 574-3058 (voice).

Submit Written Comments to: Paul T. Mairose, FAX (206) 576-0925, by March 1, 1995.

Date of Intended Adoption: March 21, 1995.

**WSR 95-01-058
PROPOSED RULES
SOUTHWEST AIR
POLLUTION CONTROL AUTHORITY**
[Filed December 14, 1994, 9:57 a.m.]

Original Notice.

Title of Rule: Amends SWAPCA 400 "General Regulations for Air Pollution Sources."

Purpose: Clarify wording of existing regulation.

Statutory Authority for Adoption: Chapter 70.94 RCW.
Statute Being Implemented: RCW 70.94.151.

Summary: Amends existing SWAPCA 400 to clarify and add explanatory wording.

Reasons Supporting Proposal: This amendment will encourage and enhance voluntary compliance in accordance with EO 94-07 "Executive Order on Regulatory Reform."

Name of Agency Personnel Responsible for Drafting: Lawrence L. Stookey, Southwest Air Pollution Control Authority, Vancouver, (206) 574-3058; Implementation: Paul T. Mairose, Southwest Air Pollution Control Authority, Vancouver, (206) 574-3058; and Enforcement: Robert D. Elliott, Southwest Air Pollution Control Authority, Vancouver, (206) 574-3058.

Name of Proponent: Southwest Air Pollution Control Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule amendment is proposed to clarify existing language in response to public input, to improve the quality of public information, and to increase voluntary compliance by improving the understanding of SWAPCA 400 by the regulated community.

Proposal Changes the Following Existing Rules: The amendment includes addition of explanatory wording and minor editing changes.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. The proposed amendment does not add rules or increase the burden on the regulated community, including small businesses.

Hearing Location: Southwest Air Pollution Control Authority, 1308 N.E. 134th Street, Vancouver, WA, on March 21, 1995, at 3:00 p.m.

Assistance for Persons with Disabilities: Contact Mary Allen by March 1, 1995, TDD (206) 574-3058, or (206) 574-3058 (voice).

Submit Written Comments to: Paul T. Mairose, FAX (206) 576-0925, by March 1, 1995.

Date of Intended Adoption: March 21, 1995.

December 9, 1994

Robert D. Elliott
Executive Director

Reviser's note: The material contained in this filing will appear in the 95-03 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 95-01-061
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed December 14, 1994, 10:37 a.m.]

Original Notice.

Title of Rule: WAC 388-505-0590 Income.

Purpose: To ensure a person's income does not exceed the specified limits of the eligibility standards for the appropriate medical care program.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: To ensure a person's income does not exceed the specified limits of the eligibility standards for the appropriate medical care program.

Reasons Supporting Proposal: Ensure use of appropriate income standard for determination of eligibility.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joanie Scotson, Medical Assistance Administration, 753-7462.

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.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. This amendment is an eligibility process affecting only department staff. There is not an economic impact.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on January 24, 1995, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Office of Vendor Services by January 10, 1995, TDD (206) 753-4595, or SCAN 234-4595.

Submit Written Comments to: Dewey Brock, Chief, Office of Vendor Services, Mailstop 45811, Department of Social and Health Services, 14th Avenue and Franklin Street, Olympia, Washington 98504, Identify WAC Numbers, FAX (206) 586-8487, by January 17, 1995.

Date of Intended Adoption: January 25, 1995.

December 14, 1994

Dewey Brock, Chief
Office of Vendor Services

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

WAC 388-505-0590 Income. (1) To be eligible for a medical care program, a person's countable income shall not exceed the specified limits of the appropriate eligibility standards for the appropriate medical care program unless the program allows the spenddown of excess income.

(2) For continuing cash assistance clients, the department shall find a person eligible for medical care programs without a separate eligibility determination.

~~((2))~~ (3) For a noncash assistance medical client, the department shall determine countable income according to AFDC or SSI methodology; except, the department shall:

(a) Consider the financial responsibility of relatives as described under WAC 388-506-0610 and 388-506-0620, and the financial responsibility of an alien sponsor under WAC 388-510-1030;

(b) Require a client to take all necessary steps to obtain any annuities, pensions, retirement, and disability benefits to which a client is entitled, unless the client can show good cause for not doing so. The client's annuities, pension, retirement, and disability benefits include, but are not limited to((:));

(i) Veteran's compensation and pensions((:));

(ii) OASDI benefits((:));

(iii) Railroad retirement benefits((:)); and

(iv) Unemployment compensation((:)).

(c) Allow child care expenses the client pays as an income deduction;

(d) Exempt earned income tax credit refunds and payments, received on or after January 1, 1991, during the month of receipt and the following month; and

(e) Consider trusts as described under WAC 388-505-0595.

~~((3))~~ (4) For an SSI-related client, the department shall determine countable income using SSI methodology except:

(a) Exclude lump sum payments as described under WAC 388-511-1160;

(b) Consider the principal and interest payment from a sales or real estate contract as described under WAC 388-511-1160 (2)(a) as unearned income;

(c) Consider the interest payment from a sales or real estate contract as described under WAC 388-511-1160 (2)(b) as unearned income.

~~((4))~~ (5) For a noncash AFDC assistance medical client, the department shall determine countable income according to AFDC methodology; except, the department shall:

(a) Budget income prospectively as defined under WAC 388-218-1900;

(b) Not use mandatory monthly income reporting;

(c) Consider the AFDC earned income exemption except as limited under WAC 388-507-0740.

PROPOSED

WSR 95-01-063
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Filed December 14, 1994, 4:10 p.m.]

Original Notice.

Title of Rule: WAC 388-87-072 Payment—Hospital outpatient services and 388-538-100 Managed care emergency services.

Purpose: Promotes more appropriate emergency room usage by primary care case management clients.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Amends WAC 388-87-072 and 388-538-100 to add that for nonemergency conditions, Medical Assistance Administration will reimburse hospitals a set fee when the client is under the care of a primary care case manager.

Reasons Supporting Proposal: Implements changes for medical evaluation payment for emergency services.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance Administration, 753-0529.

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.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Background: Medical Assistance Administration (MAA), Department of Social and Health Services is proposing changes for payment to hospitals for Medicaid (PCCM) clients who use the emergency room for nonemergency services.

MAA is proposing this change because the managed care program is designed to reduce the usage of emergency rooms for basic health care needs. To help facilitate this educational process and to assure emergent needs of clients are met [met], for PCCM, MAA pays for an assessment of the clients emergent condition when the client presents themselves at the hospital emergency room. MAA is establishing a rate to assess the level of the emergent condition.

Summary of Amendments: The amendment will establish that when a PCCM client is seen in a hospital emergency room, an assessment of client's condition is done. This assessment is billed to MAA at a rate established by the department. If the client has an emergency, then the regular emergency rate is paid.

MAA did an extensive review of the effect of this change on emergency room costs to the hospitals. MAA compared the total income of each hospital to the amount of MAA dollars paid to the hospital and specifically compared the total of emergency room income to the amount paid by MAA. In all cases, MAA reimbursement was less than 20% of all industries and less than 10% of hospitals in the state. This change would have a minor impact on hospitals.

The number of clients receiving PCCM services is less than 19% of the total managed care case load. The hospitals

in the areas where PCCM's have the highest caseload did not have any higher percent of Medicaid reimbursement than in the areas where there is no PCCM presently participating in the managed care program.

Economic Compliance and Impact: The hospitals should not see an increase in the numbers of PCCM Medicaid clients based on this amendment. The same clientele will be using hospital services. There is no evidence that hospitals will not need to increase staff or change the duties of persons who presently staff the emergency rooms.

This document fulfills the requisites of the Economic Policy Act and the Regulatory Fairness Act by analyzing the economic impact of WAC 388-87-072 and 388-538-100 on hospitals in the state of Washington. WAC 388-87-072 and 388-538-100 has been reviewed and found to affect only emergency rooms serving PCCM clients. The impact on hospitals involved in serving PCCM clients is negligible for the emergency room business. Thus no small business economic impact statement is required.

For questions regarding this document, please contact: Bobbe Andersen, Medical Assistance Administration, Department of Social and Health Services, P.O. Box 45530, Olympia, WA 98504-5530.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on January 24, 1995, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Office of Vendor Services by January 10, 1995, TDD (206) 753-4595, or SCAN 234-4595.

Submit Written Comments to: Dewey Brock, Chief, Office of Vendor Services, Mailstop 45811, Department of Social and Health Services, 14th Avenue and Franklin Street, Olympia, Washington 98504, Identify WAC Numbers, FAX (206) 586-8487, by January 17, 1995.

Date of Intended Adoption: January 24, 1995.

December 14, 1994

Dewey Brock, Chief
Office of Vendor Services

AMENDATORY SECTION (Amending Order 3268, filed 10/23/91, effective 11/23/91)

WAC 388-87-072 Payment—Hospital outpatient services. (1) For eligible (~~recipients~~) clients, the department shall reimburse for medically necessary hospital outpatient services when the services are medically necessary as defined under WAC 388-80-005, and the hospital provider meets the requirements under WAC 388-87-070(1).

(2) For hospital outpatient services provided (~~prior to July 1~~) on or before June 30, 1985, except for nonallowable revenue codes, the department shall determine reimbursement (~~shall be determined~~) by applying the hospital commission approved operating expenses ratio and total rate setting revenue.

(3) For hospital outpatient services, except for services in subsection (4) of this section and nonallowable revenue codes, provided from July 1, 1985, to June 30, 1991, the department shall determine reimbursement payment (~~shall be determined~~) by applying the hospital commission operating expenses ratio and total rate setting revenue.

(4) For hospital outpatient services provided on or after July 1, 1991, reimbursement shall be the hospital ratio of cost to charge (RCC), determined from the hospital specific

HCFA 2552 Medicare Cost Report, then reduced for the average charge level inflation over the Data Research Incorporated HCFA Market Basket inflation index, except as provided for primary care case management under WAC 388-538-100(2).

(5) For hospital outpatient laboratory, x-ray, and allowable therapy (physical, speech, and hearing) services, payment shall be the lesser of billed charges or the fee listed in the Medical Assistance Administration Schedule of Maximum Allowances.

AMENDATORY SECTION (Amending Order 3621, filed 8/11/93, effective 9/11/93)

WAC 388-538-100 Managed care emergency services. (1) The department shall exempt emergencies and emergency transportation services (~~shall be exempted~~) from routine medical care authorization procedures of a plan or under primary care case management (PCCM).

(2) A client shall not be responsible for determining if an emergency exists or for the cost of such determination. For nonemergency conditions, hospital reimbursement for PCCM under WAC 388-87-072(4) shall be limited to a medical evaluation fee as established by the department.

(3) In a medical emergency, the client shall not be financially responsible for covered managed care services provided.

(4) When an emergency does not exist, and the client's plan primary care provider (PCP) does not authorize services, the client shall be financially responsible for further services received only when the client is informed and agrees, in writing, to the responsibility before receiving the services as described under WAC 388-87-010.

WSR 95-01-067
PROPOSED RULES
HIGHER EDUCATION
COORDINATING BOARD
[Filed December 15, 1994, 2:07 p.m.]

Original Notice.

Title of Rule: Rules governing the administration of the Western Interstate Commission on Higher Education (WICHE) student exchange program in the state of Washington, WAC 250-28-020, 250-28-030, 250-28-060, and 250-28-070.

Purpose: To include osteopathic medicine as a support field in Washington's WICHE program.

Statutory Authority for Adoption: RCW 28B.80.150-[28B.80.]180.

Statute Being Implemented: RCW 28B.80.150-[28B.80.]180.

Summary: Adds the field of osteopathic medicine as a second professional field to be supported by Washington state through the WICHE professional student exchange program.

Reasons Supporting Proposal: Recommendation of the state health personnel resource plan.

Name of Agency Personnel Responsible for Drafting and Implementation: Barbara Theiss and John Klacik, 917 Lakeridge Way, Olympia, WA 98504, (206) 753-7845; and

Enforcement: Shirley Ort, 917 Lakeridge Way, Olympia, WA 98504, (206) 753-7840.

Name of Proponent: Higher Education Coordinating Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Adds an eligible field for WICHE support pursuant to the recommendation of the state health personnel resource plan to help address the shortage of primary care health providers in the state.

Proposal Changes the Following Existing Rules: Authorizes support in an additional professional field - osteopathic medicine.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Not applicable.

Hearing Location: Higher Education Coordinating Board, 917 Lakeridge Way, P.O. Box 43430, Olympia, WA 98504-3430, on February 7, 1995, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Karen Moton-Tate by February 6, 1995, TDD (206) 753-7809, or (206) 753-7802.

Submit Written Comments to: Elson S. Floyd, Executive Director, FAX (206) 753-7808, by February 7, 1995.

Date of Intended Adoption: March 15, 1995.

December 10, 1994

Elson S. Floyd

Executive Director

AMENDATORY SECTION (Amending Order 6-77, filed 9/6/77)

WAC 250-28-020 Purpose. The purpose of the program is to provide Washington residents with educational opportunities, otherwise unavailable to them, through preferential consideration for enrollment in institutions outside the state of Washington and through reduced obligations for tuition payments. Such benefits are available only to students enrolled in programs of optometry or osteopathic medicine.

AMENDATORY SECTION (Amending Order 8-82, Resolution No. 82-50, filed 7/20/82)

WAC 250-28-030 General administration. (1) The program shall be administered in accordance with these rules and regulations and with guidelines established by the Western (~~(Interstate)) Interstate~~ Commission for Higher Education, the coordinating agency for the thirteen member states comprising the Western Regional Educational Compact.

(2) The certifying officer for the administration of the program shall be the executive (~~(coordinator of the council for postsecondary education))~~ director of the higher education coordinating board or his or her designee.

AMENDATORY SECTION (Amending Order 6-77, filed 9/6/77)

WAC 250-28-060 Program definitions. (1) "Budgetary cost" shall consist of that amount required to support an individual as a student, taking into consideration cost factors for maintaining the student's dependents. Budgets will

reflect the latest recognized cost levels for room and board, transportation, books, supplies, personal expenses and any other factors deemed necessary for consideration.

(2) "Certification" is the designation used by the state to declare that a student is eligible for support if that student is admitted to a participating institution.

(3) The term "financial need" shall be the difference between the appropriate budgetary cost and the student's total family contribution, as determined according to the ~~((uniform))~~ federal methodology system of need analysis.

(4) A "participating institution" shall be one recognized by the Western Interstate Commission for Higher Education to participate in this program.

(5) The term "Washington resident" shall mean an individual who has satisfied the requirements of domicile in the state of Washington in accordance with RCW 28B.15.011 through 28B.15.014.

(6) The definition of "satisfactory progress" toward degree completion shall be in accordance with published definitions utilized by each participating institution.

(7) "Total family contribution" for a dependent student shall mean the sum of the assumed parent~~((s))~~ and student contribution~~((, expected student summer savings, contribution from student assets and additional student resources))~~. For a self-supporting student, "total family contribution" shall mean the sum of the ~~((expected student summer savings, contribution from student assets and additional))~~ student's resources.

(8) The definition of "dependent student" and "self-supporting student" shall be in accordance with definitions utilized by the United States Office of Education for its institutionally-based financial aid programs.

AMENDATORY SECTION (Amending Order 12-79, Resolution 80-20, filed 10/11/79)

WAC 250-28-070 Award determination. (1) Student eligibility.

(a) A student certified to receive assistance through this program must meet Washington residency requirements. Residency requirements must have been satisfied by the application deadline.

(b) Each student must make separate application to an eligible participating ~~((optometry))~~ school~~((s))~~ for admission or be enrolled in a participating ~~((optometry))~~ school.

(c) Each student supported through this program must maintain satisfactory progress toward degree completion.

(2) Application procedure.

(a) Each student should obtain appropriate application and need analysis forms from the certifying officer, complete and return the forms by the appropriate deadline.

(b) Deadlines for application will be established in accordance with Western Interstate Commission for Higher Education guidelines.

(3) ~~((Ranking))~~ Allocation of awards. To the extent practicable the board will award equal numbers of eligible optometry and osteopathy students.

(4) Award priorities. ~~((In the event funding is not sufficient to award all Washington applicants studying optometry at participating institutions, the following priorities, in the order listed, shall be used in determining recipients:))~~

(a) The state will continue to support certified students as long as they continue to make satisfactory ~~((academic))~~ academic progress toward the award of their professional degrees.

(b) Applicants will be placed in rank order according to their financial need as determined by the ~~((uniform))~~ federal methodology system of need analysis. Those students with greater financial need will be offered priority over those with lesser financial need.

WSR 95-01-071
WITHDRAWAL OF PROPOSED RULES
PERSONNEL RESOURCES BOARD
 [Filed December 15, 1994, 3:28 p.m.]

The Washington Personnel Resources Board hereby withdraws proposed amendment to WAC 251-06-020 and 251-08-112 filed with your office on May 27, 1994, as WSR 94-12-058 and continued as WSR 94-16-053, 94-20-023, 94-21-091, and 94-23-139.

Dennis Karras
 Secretary

WSR 95-01-072
WITHDRAWAL OF PROPOSED RULES
PERSONNEL RESOURCES BOARD
 [Filed December 15, 1994, 3:32 p.m.]

The Washington Personnel Resources Board hereby withdraws proposed amendment to WAC 356-10-020 and 356-10-050 filed with your office on May 27, 1994, as WSR 94-12-060 and continued as WSR 94-16-051, 94-20-024, 94-21-092, and 94-23-138.

Dennis Karras
 Secretary

WSR 95-01-073
PROPOSED RULES
PERSONNEL RESOURCES BOARD
 [Filed December 15, 1994, 3:35 p.m.]

Continuance of WSR 94-22-073.
 Title of Rule: New WAC 356-06-110 Federal preemption—Fair Labor Standards Act; and amending WAC 356-34-030 Suspension—Duration—Procedure.

Date of Intended Adoption: January 12, 1995.

December 12, 1994

Dennis Karras
 Secretary

WSR 95-01-099
PROPOSED RULES
COMMISSION ON
JUDICIAL CONDUCT
 [Filed December 20, 1994, 2:53 p.m.]

Original Notice.

PROPOSED

Title of Rule: Chapter 292-09 WAC, Agency procedural rules.

Purpose: To implement chapter 42.52 RCW (ESSB 6111—Chapter 154, Laws of 1994—Ethics in public service).

Statutory Authority for Adoption: RCW 42.52.370, Article IV, section 31 of State Constitution.

Statute Being Implemented: Chapter 42.52 RCW.

Summary: Chapter 292-09 WAC establishes procedures for filing, processing, investigating, and determining complaints filed under chapter 42.52 RCW.

Reasons Supporting Proposal: The commission is directed by RCW 42.52.370 to enforce the new state ethics law for state officers and state employees of the judicial branch of state government.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David Akana, P.O. Box 1817, Olympia, WA 98507, (206) 753-4585.

Name of Proponent: Commission on Judicial Conduct, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of chapter 292-09 WAC is to provide rules implementing the new state ethics law (chapter 42.52 RCW, Ethics in Public Service Act). The commission is directed by RCW 42.52.370 to enforce chapter 42.52 RCW for state officers and state employees of the judicial branch of state government. The commission proposes to adopt chapter 292-09 WAC in order to establish procedures for filing, processing, investigating, and determining complaints filed under chapter 42.52 RCW. Chapter 292-09 WAC adopts Part IV, Adjudicative proceedings, of chapter 34.05 RCW and the model rules of procedure, chapter 10-08 WAC, for conducting public hearings as required by chapter 42.52 RCW. Chapter 292-09 WAC also establishes criteria and procedures for other requirements of chapter 42.52 RCW.

Proposal does not change existing rules.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. No small business economic impact statement is required for this proposal by chapter 19.85 RCW. The proposed rules are exempt from the statute because the rules are procedural in nature and have no significant impact on business or industry.

Hearing Location: Holiday Inn, 17338 Pacific Highway South, Seattle, WA, on February 3, 1995, at 11 a.m.

Assistance for Persons with Disabilities: Contact Kathy Sullivan by January 27, 1995, TDD (206) 753-4585, or (206) 753-4585.

Submit Written Comments to: Commission on Judicial Conduct, P.O. Box 1817, Olympia, WA 98507, FAX (206) 586-2918, by January 31, 1995.

Date of Intended Adoption: February 3, 1995.

December 14, 1994

David Akana
Executive Director

Chapter 292-09 WAC AGENCY PROCEDURAL RULES

NEW SECTION

WAC 292-09-010 Purpose of this chapter. The purpose of this chapter is to provide rules implementing the Ethics in Public Service Act (chapter 42.52 RCW) according to procedures prescribed in Article IV, Section 31, of the Constitution of the state of Washington and chapter 2.64 RCW for the commission on judicial conduct.

All proceedings involving state employees of the judicial branch of state government, except "judges" as defined in chapter 292-06 WAC, shall proceed under the rules set forth in this chapter. All proceedings involving "judges" as defined in RCW 2.64.010 and the Code of Judicial Conduct shall proceed exclusively under the rules set forth in chapter 292-06 WAC.

NEW SECTION

WAC 292-09-020 Role of the commission on judicial conduct. The commission on judicial conduct is constitutionally created to investigate and consider complaints concerning judges. The commission also has jurisdiction to investigate and consider complaints of violations of the Ethics in Public Service Act (chapter 42.52 RCW) or rules adopted under it, concerning state employees of the judicial branch.

NEW SECTION

WAC 292-09-030 Organization of the commission on judicial conduct. Six members of the commission must be present to take action at a commission business meeting. The adoption of or amendment to the rules of the commission shall require the affirmative vote of six members of the commission.

NEW SECTION

WAC 292-09-040 Definitions. In these rules:

"Adjudicative proceeding" means a proceeding before the commission in which the person involved is given notice and an opportunity to be heard after a determination of reasonable cause that a violation of chapter 42.52 RCW or rules adopted under it has been or is being committed.

"Administrative law judge" means a person assigned by the office of administrative hearings in accordance with chapter 34.12 RCW and appointed by the commission to hear and take evidence with respect to charges against a state employee of the judicial branch.

"Commission" means the commission on judicial conduct.

"Complainant" means the organization, association, or person who makes a complaint alleging violation of chapter 42.52 RCW or rules adopted under it.

"Complaint" means a written statement on a form provided by the commission alleging facts which may upon investigation lead to a finding of a violation of chapter 42.52 RCW or rules adopted under it.

"Determination" means a written statement finding that there is or that there is not reasonable cause to believe that

a violation of chapter 42.52 RCW or rules adopted under it has been or is being committed.

"Employee" means a state employee of the judicial branch of state government, or the employee's attorney, as the context suggests.

"Enforcement action" means the imposition of sanctions, which may include one or more of the following:

- A reprimand;
- A recommendation that the employing agency commence disciplinary action against an employee; and/or
- An order for payment of any damages, civil penalties, and/or costs as permitted by chapter 42.52 RCW.

Any order for payment shall also include a reprimand.

"Fact-finder" means the commission or an administrative law judge appointed by the commission.

"Hearing" means a public hearing conducted in an adjudicative proceeding.

"Investigative panel" means a four-member subcommittee of the commission consisting of two public members, a judge, and a lawyer. The investigative panel shall make all determinations concerning reasonable cause. The panel shall perform oversight functions for commission investigative and prosecutorial functions. Members who serve on the investigative panel shall not serve as the presiding officer at any hearing in the same proceeding.

"Meeting" means a business meeting of the commission for any purpose other than a public hearing or executive session involving the investigation or consideration of a complaint.

"Member" means a member of the commission and includes alternates acting as members.

"Public member" means a member of the commission who is neither a lawyer nor a judge.

"Reprimand" means an enforcement action of the commission that finds that the conduct of the respondent violates chapter 42.52 RCW or rules adopted under it. A reprimand may include a requirement that the respondent follow a specified corrective course of action. The commission shall issue a written reprimand and may require the respondent to appear personally before the commission for a public reading of the reprimand. The commission shall provide a copy of the reprimand to the respondent's employing agency.

"Respondent" means a state employee of the judicial branch who is the subject of a complaint, or the employee's attorney, as the context suggests.

"Staff" means the employees, or others under personal service contract or agreement, engaged to perform commission duties and to exercise commission powers.

NEW SECTION

WAC 292-09-050 Complaints and investigations. (1) Any organization, association, or person, including a member of the commission, may make a complaint to the commission alleging violation of chapter 42.52 RCW or rules adopted under it. A complaint shall be made in writing on a form provided by the commission. A complaint may be made personally or by the complainant's attorney.

(2) Upon receipt of a complaint, the commission staff shall investigate and evaluate the allegations. The investigation shall be limited to the facts alleged in the complaint.

On every complaint received, the commission staff shall make a written recommendation that there is or that there is not reasonable cause to believe that a violation of chapter 42.52 RCW or rules adopted under it has been or is being committed. The investigative panel shall make a written determination whether there is reasonable cause based upon the complaint and the recommendation. A copy of the determination shall be provided to the complainant and to the respondent. If the determination concludes that there is no reasonable cause, a copy shall also be provided to the attorney general.

(3) Complaints pursuant to RCW 42.52.450 shall be investigated by the attorney general. As appropriate, pursuant to RCW 42.52.470, the investigative panel or the commission may refer a complaint to the employing agency, the attorney general, or the prosecutor.

NEW SECTION

WAC 292-09-060 Determination of reasonable cause. If the investigative panel determines that reasonable cause exists that the respondent has violated chapter 42.52 RCW or rules adopted under it, the commission shall schedule a public hearing on the merits of the complaint.

NEW SECTION

WAC 292-09-070 Respondent's answer to complaint. The respondent shall file a written answer to the complaint not later than thirty days after receipt of the determination that there is reasonable cause. Failure to file a written answer shall be deemed an admission to the facts alleged in the complaint and the determination.

NEW SECTION

WAC 292-09-080 Stipulated dispositions. Any matter before the commission may be disposed of by a stipulation at any stage of the proceeding. The respondent and a member of the commission staff shall sign the stipulation before presentation to the commission. The commission may impose any terms and conditions deemed appropriate. If the stipulation is rejected by the commission, the stipulation shall be withdrawn and cannot be used by or against the respondent in any proceeding.

When a stipulation which disposes of a complaint is accepted by the commission, the commission shall provide a copy of the stipulation to the attorney general and the complainant.

NEW SECTION

WAC 292-09-090 Adoption of model rules of procedure. Part IV—Adjudicative Proceedings—of chapter 34.05 RCW and the model rules of procedure, chapter 10-08 WAC, adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, are hereby adopted for use by the commission. In the case of conflict between chapter 34.05 RCW or the model rules of procedure and procedural rules adopted in this chapter, the procedural rules adopted by the commission shall take precedence.

NEW SECTION

WAC 292-09-100 Presiding officer. (1) In matters involving an adjudicative proceeding, the commission may designate as presiding officer a member of the commission, or an administrative law judge assigned by the office of administrative hearings under the authority of chapter 34.12 RCW.

(2) A person who has served as an investigator, prosecutor, or advocate in any stage of an adjudicative proceeding, or someone who is subject to the authority or direction of such a person, may not serve as a presiding officer in the same proceeding.

NEW SECTION

WAC 292-09-110 Discovery. The statutes and court rules regarding pretrial procedures in civil cases in superior courts of the state of Washington shall be used where applicable unless in conflict with this chapter.

NEW SECTION

WAC 292-09-120 Discovery—Authority of presiding officer. The presiding officer may permit discovery in an adjudicative proceeding. The presiding officer shall have the power to control the frequency and nature of discovery permitted and to order conferences to discuss discovery issues.

NEW SECTION

WAC 292-09-130 Fact-finding hearing. (1) Upon filing of a determination of reasonable cause, a public fact-finding hearing will be scheduled at a location and time selected by the commission. The respondent shall have at least twenty days notice of the hearing and shall appear at the hearing in person, with or without counsel.

(2) Where there is a possibility that the respondent may be liable for a total amount of penalty and costs of more than five hundred dollars, the respondent may choose to have an administrative law judge conduct the hearing. The respondent shall indicate such choice in writing within thirty days after receipt of the determination. Notwithstanding the respondent's choice, the commission may, on its own initiative, retain an administrative law judge.

(3) Testimony taken at the hearing shall be under oath and recorded.

(4) The case in support of the complaint shall be presented at the hearing by commission staff. After the staff's case in chief, the respondent shall have the opportunity to present evidence. Both parties shall have the opportunity to cross-examine witnesses.

(5) If, based upon a preponderance of the evidence, the fact-finder finds that the respondent has violated chapter 42.52 RCW or rules adopted under it, the fact-finder shall file an order stating findings of fact, conclusions, and an enforcement action.

(6) If, based upon all the evidence, the fact-finder finds that the respondent has not engaged in an alleged violation of chapter 42.52 RCW or rules adopted under it, the fact-finder shall file an order stating findings of fact, conclusions, and an order dismissing the complaint.

(7) Civil penalties included within an enforcement action shall be established based upon the following nonexclusive aggravating and mitigating factors:

(a) Whether the violation is an isolated instance or evidences a pattern of conduct;

(b) The nature, extent, and frequency of occurrence of the violation;

(c) Whether the employee acknowledged or recognized that the violation occurred;

(d) Whether the employee has evidenced an effort to change or modify the conduct that resulted in a violation;

(e) The length of service of the employee;

(f) Whether there have been prior violations of ethics rules by the employee;

(g) The effect the violation has upon the integrity and respect for the judiciary; and

(h) The extent to which the employee exploited the position to satisfy personal desires.

(8) If the fact-finder is not the commission, the decision shall be entered as an initial order. Unless the respondent or the commission's staff files a petition for review of an initial order within twenty days of service of the initial order, the commission may adopt the initial order as its final order without further notice to the respondent. If the commission, upon its own motion, determines that the initial order should be reviewed, notice shall be given to the respondent.

NEW SECTION

WAC 292-09-140 Documents—Filing. Any document filed with the commission under the provisions of the Administrative Procedure Act, chapter 34.05 RCW; model rules of procedure, chapter 10-08 WAC; and this chapter shall be filed with the Commission on Judicial Conduct, 908 5th Avenue S.E., P.O. Box 1817, Olympia, WA 98507.

Unless otherwise required by law, filing of a document with the commission shall be made personally, by first class mail, by certified or registered mail, by commercial parcel delivery company, or by facsimile and same-day mailing or original showing same-day postmark. Filing shall occur within the period of time specified for filing by statute, rule, or order.

NEW SECTION

WAC 292-09-150 Witness fees. All witnesses shall receive fees and expenses in the amount allowed by law for witnesses in the superior court. The person calling the witness shall be responsible for paying the witness's fees and expenses.

NEW SECTION

WAC 292-09-160 Subpoenas. (1) Investigative. The commission may subpoena witnesses, compel their attendance, administer oaths, take testimony of a person under oath, or require production for examination of any books, accounts, records, certificates, or papers relating to any matter under investigation or in question before the commission. Subpoenas may be issued by any member of the commission.

(2) Adjudicative. Subpoenas shall be issued and enforced as provided by chapter 10-08 WAC, chapter 34.05 RCW, and chapter 42.52 RCW, as appropriate.

NEW SECTION

WAC 292-09-170 Judicial review. Except as otherwise provided by law, judicial review of a commission order that a violation of chapter 42.52 RCW or rules adopted under it has occurred is governed by the provisions of chapter 34.05 RCW applicable to review of adjudicative proceedings.

WSR 95-01-101
PROPOSED RULES
BOARD OF TAX APPEALS
[Filed December 20, 1994, 2:58 p.m.]

Original Notice.

Title of Rule: Chapter 456-09 WAC, Formal hearings—Practice and procedure.

Purpose: To amend existing rules to comply with recent statutory changes (sections 17, 18, chapter 301, Laws of 1994, p. 1932); and to amend existing rules to clarify language or to make other minor housekeeping changes.

Statutory Authority for Adoption: RCW 82.03.170.

Statute Being Implemented: RCW 84.08.130 and 82.03.200.

Summary: The board's existing rules of practice and procedure are being amended to comply with recent statutory changes and to clarify language.

Reasons Supporting Proposal: The amendments will bring the board's existing rules into compliance with recent statutory changes and will make the rules easier to understand by clarifying the language.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Richard A. Virant, 910 5th Avenue S.E., Olympia, WA 98504-0915, (206) 753-5446.

Name of Proponent: Board of Tax Appeals, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 456-09-320, 456-09-325, 456-09-350, 456-09-705, and 456-09-725 are existing rules of practice and procedure that are being amended to comply with sections 17, 18, chapter 301, Laws of 1994, p. 1932. The statutory changes affect the procedures for filing an appeal with the board and submitting evidence of comparable sales to be used in a hearing before the board. Appeals can now be filed directly with the board rather than with the county auditor, and the parties must submit their evidence to the board at least ten business days in advance of the hearing. WAC 456-09-110, 456-09-130, 456-09-230, 456-09-330, 456-09-340, 456-09-365, 456-09-540, 456-09-710, 456-09-730, 456-09-930, 456-09-935, 456-09-945, and 456-09-955 are existing rules of practice and procedure that are being amended to clarify the language or to make other minor housekeeping changes.

Proposal Changes the Following Existing Rules: Property tax appeals may now be filed directly with the Board of Tax Appeals rather than with the county auditor. The appellant must also serve a copy of the notice of appeal on all named parties within thirty days after the mailing of the decision of the County Board of Equalization. The amended rules will also require that copies of all documentary evidence which are to be introduced at hearing must be submitted to the board at least ten business days prior to the hearing. The board's current rule allows taxpayers to submit such evidence at least five business days prior to the hearing.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. No small business economic impact statement is required for this proposal by chapter 19.85 RCW. The proposed rules are exempt from the statute because the rules are procedural in nature and have no significant impact on business or industry.

Hearing Location: Board of Tax Appeals, 910 5th Avenue S.E., Olympia, WA 98504-0915, on January 27, 1995, at 10 a.m.

Assistance for Persons with Disabilities: Contact Susan Riddle by January 18, 1995, TDD (206) 753-5446, or (206) 753-5446.

Submit Written Comments to: Board of Tax Appeals, 910 5th Avenue S.E., P.O. Box 40915, Olympia, WA 98504-0915, FAX (206) 586-9020, by January 20, 1995.

Date of Intended Adoption: January 27, 1995.

December 8, 1994

R. A. Virant

Executive Director

AMENDATORY SECTION (Amending WSR 90-11-105, filed 5/22/90, effective 6/22/90)

WAC 456-09-110 Definitions. As used in this chapter, the following terms shall have the following meaning:

(1) "Board" means the board of tax appeals as described in chapter 82.03 RCW and chapters 456-09 and 456-10 WAC. Where appropriate, the term "board" also refers to the designated hearing officers or agents of the board of tax appeals.

(2) "Presiding officer" or "hearing officer" shall mean any member of the board, tax referee, administrative law judge, or any person who is assigned to conduct a conference or hearing by the board. The presiding officer shall have authority as provided by WAC 10-08-200 and chapter 34.05 RCW.

(3) "Appellant" means a person, natural or otherwise, who appeals any order or decision to the board of tax appeals.

(4) "Respondent" means a person, natural or otherwise, who is named as a responding party in any appeal before the board of tax appeals.

(5) "Formal hearing" means a proceeding conducted pursuant to the Administrative Procedure Act.

(6) "Informal hearing" means a proceeding governed by those rules specified in chapter 456-10 WAC.

(7) "Decision" means a written judgment or ruling, including orders, issued by the board of tax appeals or the designated hearing officers or agents of the board of tax appeals.

AMENDATORY SECTION (Amending Order 89-02, filed 5/2/89)

WAC 456-09-130 Organization and office. The board consists of three members, one of whom is elected chair. Members of the board are appointed by the governor with the consent of the senate and serve on a full-time basis.

The board offices are open each day for the transaction of business from 8:00 a.m. to 5:00 p.m., excluding Saturdays, Sundays, and legal holidays. All submissions, requests, and communications shall be sent to the board at its principal office at 910 5th Avenue S.E., (~~Mailstop EW-12~~) Post Office Box 40915, Olympia, Washington 98504-0915.

AMENDATORY SECTION (Amending WSR 90-11-105, filed 5/22/90, effective 6/22/90)

WAC 456-09-230 Ex parte communication. (1) No one shall make or attempt to make any ex parte communications prohibited by the Administrative Procedure Act. The board, in conducting a formal proceeding governed by the Administrative Procedure Act, may not make or attempt to make ex parte communications prohibited by such act. Attempts by anyone to make such prohibited ex parte communications shall subject such person to the sanctions of WAC 456-09-220 and 456-09-750.

(2) The requirements and procedures of RCW 34.05.455 apply to ex parte communications.

AMENDATORY SECTION (Amending WSR 90-11-104, filed 5/22/90, effective 6/22/90)

WAC 456-09-320 Notice of appeal—Service and filing. (1) (~~Except as provided in subsection (2) of this section,~~) Notice of appeal shall be filed with the board and a copy served upon all other parties in accordance with the provisions of this chapter. A certificate of service shall be filed with the board pursuant to WAC 456-09-440.

(2) (~~(a) Notice of an appeal authorized under RCW 82.03.130(2) (appeal from action of the board of equalization) shall be filed in duplicate with the appropriate county auditor within thirty days after the mailing of the board of equalization's decision; and the appellant shall serve a copy of the notice on all other named parties.~~

~~(b) In King County, notice of appeal shall be filed in duplicate with the clerk of the county council.~~

~~(c) The county auditor or clerk shall transmit one copy of the notice of appeal to the board and shall transmit one copy to the clerk of the board of equalization.~~

(d)) Appeals not timely filed and served as provided by statute and this regulation shall be dismissed. Appeals not properly filed and served may be dismissed if the appealing party fails to substantially comply with this regulation.

AMENDATORY SECTION (Amending WSR 94-07-044, filed 3/10/94, effective 4/10/94)

WAC 456-09-325 Date of filing—(Facsimile) Filing via facsimile machine transmission. (1) (~~Except as provided in subsection (3) of this section,~~) The date of filing of a notice of appeal shall be the date of actual receipt by the board at its Olympia office if the appeal is to be hand delivered. The board's date stamp placed thereon shall be prima facie evidence of the date of receipt. If the filing of

the notice of appeal is by mail, the postmark will control and shall be prima facie evidence of the date of filing.

(2) (~~Except as provided in subsection (3) of this section,~~) All documents may be filed with the board via facsimile machine transmission. However, filing will not be deemed complete unless the following procedures are strictly observed:

(a) A facsimile document will only be stamped "received" by the board between the hours of 8:00 a.m. and 5:00 p.m. excluding Saturdays, Sundays, and legal holidays. Any transmission not completed before 5:00 p.m. will be stamped "received" on the following business day. The date and time indicated by the board's facsimile machine shall be prima facie evidence of the date and time of receipt of transmission.

(b) The original document must be filed with the board within ten business days from the date of transmission.

(c) All transmissions are sent at the risk of the sender.

~~((3) In appeals pursuant to RCW 82.03.130(2) (appeal from board of equalization) the date of filing shall be the date of receipt by the county auditor or, in King County, the clerk of the county council if the appeal is to be hand delivered. The date stamp placed on the notice of appeal by the auditor or clerk shall be prima facie evidence of the date of receipt. If the filing of the notice of appeal is by mail, the postmark will control and shall be prima facie evidence of the date of filing.))~~

AMENDATORY SECTION (Amending Order 89-02, filed 5/2/89)

WAC 456-09-330 Acknowledgement of notice of appeal. (~~Upon written request of an appellant,~~) The board will acknowledge receipt of a notice of appeal (~~(indicating the date of filing if the appellant submits a self-addressed stamped envelope with the request).~~

AMENDATORY SECTION (Amending Order 89-02, filed 5/2/89)

WAC 456-09-340 Jurisdiction—Issue raised by board—Procedure. (1) Any party may, by motion, challenge the jurisdiction of the board in any appeal. The board may, upon its own motion, raise such jurisdictional issues.

(2) When the board determines that an appeal has been untimely filed, an order of dismissal will be mailed to all parties. An exception to the order of dismissal may be filed within twenty calendar days after mailing of such order. The (~~(original and three copies of the)~~) exception shall be filed with the board and a copy served upon all other parties.

AMENDATORY SECTION (Amending Order 89-02, filed 5/2/89)

WAC 456-09-350 Notice of appeal—(Answer) Response. The respondent may file (~~(an answer)~~) a response with the board. If filed, the respondent shall file the original with the board at least ten business days prior to hearing and serve a copy thereof (~~(on the appellant within thirty days after the service of notice of appeal or any amendment thereto. Answers shall be verified in the same manner as the notice of appeal)~~) upon all other parties in accordance with the provisions of this chapter. A certificate

of service shall be filed with the board pursuant to WAC 456-09-440.

AMENDATORY SECTION (Amending WSR 94-07-044, filed 3/10/94, effective 4/10/94)

WAC 456-09-365 Conversion of hearing. (1) The respondent, as a party to an appeal pursuant to RCW 84.08.130(~~((2))~~) (appeal from board of equalization) may, within twenty calendar days from the date of mailing of the notice of appeal, file with the clerk of the board a notice of intention that the hearing be a formal hearing pursuant to the Administrative Procedure Act, chapter 34.05 RCW.

(2) In appeals under RCW 82.03.190 and 82.03.130(5)(~~except as otherwise provided in this subsection and subsection (2) of this section~~), the department of revenue may, within thirty calendar days of receipt of the notice of appeal, file with the board a notice of its intention that the hearing be held pursuant to the Administrative Procedure Act, chapter 34.05 RCW.

(3) The parties may agree at any time before hearing, in writing, to convert the proceedings to either a formal or informal hearing.

AMENDATORY SECTION (Amending Order 89-02, filed 5/2/89)

WAC 456-09-540 Subpoena—Service. Service of subpoenas shall be made by delivering a copy of the subpoena to such person and tendering on demand, where entitled to make a demand, the fees for one day's attendance and the mileage allowed by law. All costs, which include the cost of producing records, shall be paid by the party requesting issuance of the subpoena. A subpoena may be served by any suitable person at least eighteen years of age, by exhibiting and reading it to the witness, or by giving him or her a copy thereof, or by leaving such copy at his or her abode. Proof of service shall be made when service is made by a person other than an officer authorized to serve process.

AMENDATORY SECTION (Amending Order 89-02, filed 5/2/89)

WAC 456-09-705 Advance submission of evidence—Delivery to adverse party. (1) Copies of all documentary evidence which is to be introduced at hearing shall be submitted to the board (~~in advance. The department of revenue, department of natural resources, or the assessor shall submit such evidence at least ten business days prior to hearing. The taxpayer or other party shall submit such evidence~~) at least (~~(five)~~) ten business days prior to hearing. Failure to comply may be grounds for exclusion of such evidence or dismissal in accordance with WAC 456-09-750.

(2) Evidence of comparable sales, listed in the notice of appeal/~~(answer)~~ response, which are subsequently changed, shall conform to this section and will be excepted from the requirements of WAC 456-09-345 (Amendments to notice of appeal) (~~and 456-09-350 (Notice of appeal—Answer)~~).

(3) All correspondence and all documents filed with the board shall indicate that copies have been mailed or delivered to the attorney or representative of record or the adverse party if not represented.

(4) An acknowledgement of service or certificate of mailing as provided in WAC 456-09-440 shall be filed with the board together with the advance submission of documentary evidence as required in subsection (1) of this section.

AMENDATORY SECTION (Amending Order 89-02, filed 5/2/89)

WAC 456-09-710 Hearing—Setting of time and place. (1) (~~The board will generally not schedule a hearing until the filing of the answer or, in the absence thereof, thirty days after filing of the notice of appeal.~~

~~((2))~~) The board will set a time and place for hearing. The parties shall, upon request of the board, submit written estimates of the time that will be required to hear the matter.

~~((3))~~ (2) Where the board deems appropriate or at a party's request, the board may set prehearing or settlement conference dates.

AMENDATORY SECTION (Amending Order 89-02, filed 5/2/89)

WAC 456-09-725 Briefs. The original and (~~(four)~~) three copies of briefs shall be filed with the board at least (~~(five)~~) ten business days prior to hearing unless otherwise provided by the board. When briefs are filed, a copy shall also be served on the other parties. The board may permit or require the filing of additional briefs.

AMENDATORY SECTION (Amending WSR 90-11-105, filed 5/22/90, effective 6/22/90)

WAC 456-09-730 Hearing—Notice of hearing—Time—Contents. (1) Time. Notice of a hearing will be mailed to all parties and to all persons having filed written petitions to intervene not less than twenty calendar days before the hearing date unless a different period is required by law. The notice shall include the information specified in RCW 34.05.434 and if the hearing is to be conducted by teleconference call the notice shall so state.

(2) The notice shall state that if a limited-English speaking or hearing-impaired party or witness needs an interpreter, a qualified interpreter will be appointed and that there will be no cost to the party or witness. The notice shall also state that persons with disabilities may request reasonable accommodations to allow their participation in the hearing. The notice shall include a form for a party to indicate if an interpreter is needed and identification of the primary language, or if a participant is hearing impaired; or to describe the reasonable accommodations requested.

(3) Defects in notice may be waived if the waiver is knowing and voluntary.

AMENDATORY SECTION (Amending WSR 90-11-105, filed 5/22/90, effective 6/22/90)

WAC 456-09-930 Initial or final (~~(order)~~) decision. Every decision (~~and order~~), whether initial or final, shall:

(1) Be correctly captioned as to the name of the board and name of the proceeding;

(2) Designate all parties and representatives participating in the proceeding;

(3) Include a concise statement of the nature and background of the proceeding;

- (4) Contain appropriate numbered findings of fact meeting the requirements in RCW 34.05.461;
- (5) Contain appropriate numbered conclusions of law, including citations of statutes and rules relied upon;
- (6) Contain an initial or final (~~(order)~~) decision disposing of all contested issues;
- (7) Contain a statement describing the available (~~(post-hearing)~~) posthearing remedies.

AMENDATORY SECTION (Amending WSR 90-11-105, filed 5/22/90, effective 6/22/90)

WAC 456-09-935 Petition for review and replies.

- (1) Any party to an adjudicative proceeding may make a petition for review of an initial (~~(order)~~) decision.
- (2) The petition for review shall be made, by mail or otherwise, with the board within twenty calendar days of the date of mailing of the initial (~~(order)~~) decision unless the (~~(order)~~) decision specifies otherwise. Copies of the petition shall be served upon all other parties or their representatives at the time the petition is made.
- (3) The petition for review shall specify the portions of the initial (~~(order)~~) decision to which exception is taken and shall refer to the evidence of record which is relied upon to support the petition. The original and four copies of the petition shall be provided to the board.
- (4) Any party may make a reply to a petition for review. The reply shall be made, by mail or otherwise, with the board within ten days of the date of service of the petition. Copies of the reply shall be served upon all other parties or their representatives at the time the reply is made. The original and four copies of the reply shall be provided to the board.
- (5) The board may require the parties to submit written briefs or statements of position or to appear and present oral argument regarding the matters on which exceptions were taken, within such time and on such terms as may be prescribed. The board may schedule a hearing to take additional evidence if it deems it necessary or helpful to reach a proper result.

AMENDATORY SECTION (Amending WSR 90-11-105, filed 5/22/90, effective 6/22/90)

WAC 456-09-945 Final decision following initial decision—Record. (1) After the filing of a petition for review and any replies, the record before the board shall be considered by at least two members of the board.

(2) The record before the board shall consist of the decision (~~(or order)~~) from which appeal was taken, the notice of appeal, responsive pleadings, if any, and any other notices, written applications, motions, stipulations, requests, prehearing orders, and the initial decision (~~(or order)~~) of the presiding officer. The record shall also include all depositions admitted at the hearing, the transcript of testimony, if any, and other proceedings at the hearing, together with all exhibits.

AMENDATORY SECTION (Amending WSR 90-11-105, filed 5/22/90, effective 6/22/90)

WAC 456-09-955 Petition for reconsideration. After a final decision has been issued, any party may file a petition for reconsideration with the board as provided by RCW 34.05.470. Such petition must be made, by mail or otherwise, within ten business days from the mailing of the final decision, and shall state the specific grounds upon which relief is requested. The (~~(original and four copies of the)~~) petition for reconsideration shall be filed with the board and served upon all parties and representatives of record. The board may require that a response be made and served in the same manner. (~~(The filing of a petition for reconsideration shall suspend the final decision until action by the board.)~~) The board may deny the petition, modify its decision, or reopen the hearing. The petition shall be deemed denied if, within twenty days from the date the petition is received by the board, the board does not either: (1) Dispose of the petition; or (2) serve the parties with a written notice specifying the date by which it will act on the petition. The disposition shall be in the form of a (~~(written order)~~) decision denying the petition, granting the petition and dissolving or modifying the final (~~(order)~~) decision, or granting the petition and setting the matter for further hearing.

WSR 95-01-102
PROPOSED RULES
BOARD OF TAX APPEALS
[Filed December 20, 1994, 2:59 p.m.]

Original Notice.

Title of Rule: Chapter 456-10 WAC, Informal hearings—Practice and procedure.

Purpose: To amend existing rules to comply with recent statutory changes (sections 17, 18, chapter 301, Laws of 1994, p. 1932); and to amend existing rules to clarify language or to make other minor housekeeping changes.

Statutory Authority for Adoption: RCW 82.03.170.

Statute Being Implemented: RCW 84.08.130 and 82.03.200.

Summary: The board's existing rules of practice and procedure are being amended to comply with recent statutory changes and to clarify language.

Reasons Supporting Proposal: The amendments will bring the board's existing rules into compliance with recent statutory changes and will make the rules easier to understand by clarifying the language.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Richard A. Virant, 910 5th Avenue S.E., Olympia, WA 98504-0915, (206) 753-5446.

Name of Proponent: Board of Tax Appeals, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 456-10-320, 456-10-325, 456-10-505, and 456-10-525 are existing rules of practice and procedure that are being amended to comply with sections 17, 18, chapter

301, Laws of 1994, p. 1932. The statutory changes affect the procedures for filing an appeal with the board and submitting evidence of comparable sales to be used in a hearing before the board. Appeals can now be filed directly with the board rather than with the county auditor and the parties must submit their evidence to the board at least ten business days in advance of the hearing. WAC 456-10-110, 456-10-140, 456-10-330, 456-10-340, 456-10-360, 456-10-510, 456-10-530, 456-10-730, and 456-10-755 are existing rules of practice and procedure that are being amended to clarify the language or to make other minor housekeeping changes.

Proposal Changes the Following Existing Rules: Property tax appeals may now be filed directly with the Board of Tax Appeals rather than with the county auditor. The appellant must also serve a copy of the notice of appeal on all named parties within thirty days after the mailing of the decision of the County Board of Equalization. The amended rules will also require that copies of all documentary evidence which are to be introduced at hearing must be submitted to the board at least ten business days prior to the hearing. The board's current rule allows taxpayers to submit such evidence at least five business days prior to the hearing.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. No small business economic impact statement is required for this proposal by chapter 19.85 RCW. The proposed rules are exempt from the statute because the rules are procedural in nature and have no significant impact on business or industry.

Hearing Location: Board of Tax Appeals, 910 5th Avenue S.E., Olympia, WA 98504-0915, on January 27, 1995, at 10 a.m.

Assistance for Persons with Disabilities: Contact Susan Riddle by January 18, 1995, TDD (206) 753-5446, or (206) 753-5446.

Submit Written Comments to: Board of Tax Appeals, 910 5th Avenue S.E., P.O. Box 40915, Olympia, WA 98504-0915, FAX (206) 586-9020, by January 20, 1995.

Date of Intended Adoption: January 27, 1995.

December 8, 1994

R. A. Virant
Executive Director

AMENDATORY SECTION (Amending WSR 90-11-106, filed 5/22/90, effective 6/22/90)

WAC 456-10-110 Definitions. As used in this chapter, the following terms shall have the following meaning:

(1) "Board" means the board of tax appeals as described in chapter 82.03 RCW and chapters 456-09 and 456-10 WAC. Where appropriate, the term "board" also refers to the designated hearing officers or agents of the board of tax appeals.

(2) "Presiding officer" or "hearing officer" shall mean any member of the board, tax referee, administrative law judge, or any person who is assigned to conduct a conference or hearing by the board. The presiding officer shall have authority as provided by WAC 10-08-200 and chapter 34.05 RCW.

(3) "Appellant" means a person, natural or otherwise, who appeals any order or decision to the board of tax appeals.

(4) "Respondent" means a person, natural or otherwise, who is named as a responding party in any appeal before the board of tax appeals.

(5) "Formal hearing" means a proceeding conducted pursuant to the Administrative Procedure Act.

(6) "Informal hearing" means a proceeding governed by those rules specified in chapter 456-10 WAC.

(7) "Decision" means a written judgment or ruling, including orders, issued by the board of tax appeals or the designated hearing officers or agents of the board of tax appeals.

AMENDATORY SECTION (Amending Order 89-03, filed 5/2/89)

WAC 456-10-140 Organization and office. The board consists of three members, one of whom is elected chair. Members of the board are appointed by the governor with the consent of the senate and serve on a full-time basis.

The board offices are open each day for the transaction of business from 8:00 a.m. to 5:00 p.m., excluding Saturdays, Sundays, and legal holidays. All submissions, requests, and communications shall be sent to the board at its principal office at 910 5th Avenue S.E., ((Mailstop EW-12)) Post Office Box 40915, Olympia, Washington 98504-0915.

AMENDATORY SECTION (Amending WSR 90-11-103, filed 5/22/90, effective 6/22/90)

WAC 456-10-320 Notice of appeal—Service and filing. (1) ~~((Except as provided in subsection (2) of this section,))~~ Notice of appeal shall be filed with the board and a copy served upon all other parties in accordance with the provisions of this chapter. A certificate of service shall be filed with the board pursuant to WAC 456-10-440.

~~(2)((a) Notice of an appeal authorized under RCW 82.03.130(2) (appeal from action of the board of equalization) shall be filed in duplicate with the appropriate county auditor within thirty days after the mailing of the board of equalization's decision; and the appellant shall serve a copy of the notice on all other named parties.~~

~~(b) In King County, notice of appeal shall be filed in duplicate with the clerk of the county council.~~

~~(c) The county auditor or clerk shall transmit one copy of the notice of appeal to the board and shall transmit one copy to the clerk of the board of equalization.~~

~~(d)) Appeals not timely filed and served as provided by statute and this regulation shall be dismissed. Appeals not properly filed and served may be dismissed if the appealing party fails to substantially comply with this regulation.~~

AMENDATORY SECTION (Amending WSR 94-07-043, filed 3/10/94, effective 4/10/94)

WAC 456-10-325 Date of filing—((Facsimile)) Filing via facsimile machine transmission. (1) ~~((Except as provided in subsection (3) of this section,))~~ The date of filing of a notice of appeal shall be the date of actual receipt by the board at its Olympia office if the appeal is to be hand delivered. The date stamp placed thereon shall be prima

facie evidence of the date of receipt. If the filing of the notice of appeal is by mail, the postmark will control and shall be prima facie evidence of the date of filing.

(2) ~~((Except as provided in subsection (3) of this section,))~~ All documents may be filed with the board via facsimile machine transmission. However, filing will not be deemed complete unless the following procedures are strictly observed:

(a) A facsimile document will only be stamped "received" by the board between the hours of 8:00 a.m. and 5:00 p.m. excluding Saturdays, Sundays, and legal holidays. Any transmission not completed before 5:00 p.m. will be stamped "received" on the following business day. The date and time indicated by the board's facsimile machine shall be prima facie evidence of the date and time of receipt of transmission.

(b) The original document must be filed with the board within ten business days from the date of transmission.

(c) All transmissions are sent at the risk of the sender.

~~((3) In appeals pursuant to RCW 82.03.130(2) (appeal from board of equalization) the date of filing shall be the date of receipt by the county auditor or, in King County, the clerk of the county council if the appeal is to be hand delivered. The date stamp placed on the notice of appeal by the auditor or clerk shall be prima facie evidence of the date of receipt. If the filing of the notice of appeal is by mail, the postmark will control and shall be prima facie evidence of the date of filing.))~~

AMENDATORY SECTION (Amending Order 89-03, filed 5/2/89)

WAC 456-10-330 Acknowledgement of notice of appeal. ~~((Upon written request of an appellant,))~~ The board will acknowledge receipt of a notice of appeal ~~((indicating the date of filing if the appellant submits a self-addressed stamped envelope with the request)).~~

AMENDATORY SECTION (Amending Order 89-03, filed 5/2/89)

WAC 456-10-340 Jurisdiction—Issue raised by board—Procedure. (1) Any party may, by motion, challenge the jurisdiction of the board in any appeal. The board may, upon its own motion, raise such jurisdictional issues.

(2) When the board determines that an appeal has been untimely filed, an order of dismissal will be mailed to all parties. An exception to the order of dismissal may be filed within twenty calendar days after mailing of such order. The ~~((original and three copies of the))~~ exception shall be filed with the board and a copy served upon all other parties.

AMENDATORY SECTION (Amending WSR 94-07-043, filed 3/10/94, effective 4/10/94)

WAC 456-10-360 Conversion of hearing. (1) The respondent, as a party to an appeal pursuant to RCW 84.08.130~~((2))~~ (appeal from board of equalization) may, within twenty calendar days from the date of mailing of the notice of appeal, file with the clerk of the board a notice of intention that the hearing be a formal hearing pursuant to the Administrative Procedure Act, chapter 34.05 RCW.

(2) In appeals under RCW 82.03.190 and 82.03.130(5), ~~((except as otherwise provided in this subsection and subsection (2) of this section,))~~ the department of revenue may, within thirty calendar days of receipt of the notice of appeal, file with the board a notice of its intention that the hearing be held pursuant to the Administrative Procedure Act, chapter 34.05 RCW.

(3) The parties may agree at any time before hearing, in writing, to convert the proceedings to either a formal or informal hearing.

AMENDATORY SECTION (Amending Order 89-03, filed 5/2/89)

WAC 456-10-505 Advance submission of evidence—Delivery to adverse party. (1) Copies of all documentary evidence which ~~((are))~~ is to be introduced at hearing shall be submitted to the board ~~((in advance. The department of revenue, department of natural resources, or the assessor shall submit such evidence at least ten business days prior to hearing. The taxpayer or other party shall submit such evidence))~~ at least ~~((five-))~~ ten business days prior to hearing. Failure to comply may be grounds for exclusion of such evidence or dismissal in accordance with WAC 456-10-555.

(2) Evidence of comparable sales, listed in the notice of appeal, which are subsequently changed, shall conform to this section and will be excepted from the requirements of WAC 456-10-345 (Amendments of notice of appeal).

(3) All correspondence and all subsequent pleadings or papers filed with the board shall indicate that copies have been mailed or delivered to the attorney or representative of record or the adverse party if not represented.

(4) An acknowledgement of service or certificate of mailing as provided in WAC 456-10-440 shall be filed with the board together with the advance submission of documentary evidence as required in subsection (1) of this section.

AMENDATORY SECTION (Amending Order 89-03, filed 5/2/89)

WAC 456-10-510 Hearing—Setting of time and place. ~~((1) The board will not schedule a hearing within thirty days after filing the notice of appeal unless all parties agree otherwise.~~

~~((2))~~ The board will set a time and place for hearing. The parties shall, upon request of the board, submit written estimates of the time that will be required to hear the matter.

AMENDATORY SECTION (Amending Order 89-03, filed 5/2/89)

WAC 456-10-525 Briefs. The original and ~~((four copies))~~ one copy of briefs shall be filed with the board at least ~~((five-))~~ ten business days prior to hearing unless otherwise provided by the board. When briefs are filed, a copy shall also be served on the other parties. The board may permit or require the filing of additional briefs.

AMENDATORY SECTION (Amending Order 89-03, filed 5/2/89)

WAC 456-10-530 Hearing—Notice of hearing—Time—Contents. (1) Time. Notice of a hearing shall be mailed to all parties not less than twenty calendar days before the hearing date. The twenty-day notice provision may be waived by agreement of all parties.

(2) Contents. The notice shall contain:

(a) The names and mailing addresses of the parties and their representatives, if any;

(b) The docket number and name of the proceeding;

(c) The name, official title, mailing address, and telephone number of the presiding officer, if known;

(d) A statement of the time, place, date, and general nature of the proceeding (e.g., excise, property, etc.);

(e) A statement that the hearing is held pursuant to this chapter and chapter 82.03 RCW;

(f) A statement of the issues or matters asserted and the particular sections of the statutes or rules involved as stated in the notice of appeal and responsive pleading, if any;

(g) ~~((A statement that if a qualified interpreter is needed, one will be appointed at no cost to the party or witness upon five days written notice; and~~

~~(h))~~ A statement that a party who fails to attend or participate at a hearing may be held in default in accordance with WAC 456-10-550; and

(h) A statement that, if a limited-English speaking or hearing-impaired party or witness needs an interpreter, a qualified interpreter will be appointed at no cost to the party or witness. The notice shall also state that persons with disabilities may request reasonable accommodations to allow their participation in the hearing. The notice shall include a form for a party to indicate if an interpreter is needed and identification of the primary language, or if a participant is hearing impaired; or to describe the reasonable accommodations requested.

AMENDATORY SECTION (Amending WSR 90-11-106, filed 5/22/90, effective 6/22/90)**WAC 456-10-730 Exceptions to proposed decision.**

(1) Time for filing. Any party may make, by mail or otherwise, a written exception with the board within twenty calendar days from the date of mailing of the proposed decision or, upon timely application, within such further time as the board may allow. ~~((An original and four copies))~~ The statement of exceptions shall be filed with the board, and a copy shall be served on all other parties.

(2) Contents. Exceptions shall contain the specific factual and legal grounds upon which the exception is based. The party or parties making the exception shall be deemed to have waived all objections or irregularities not specifically set forth. The statement of exceptions may contain the exceptor's proposed findings of fact and/or conclusions of law addressing the factual and legal issues to which exceptions are being taken.

(3) Failure of a party to comply with the requirements for exceptions may result in the board issuing ~~((an order))~~ a decision adopting the proposed decision as the final decision of the board on the ground that no legally sufficient statement of exceptions had been made.

AMENDATORY SECTION (Amending WSR 90-11-106, filed 5/22/90, effective 6/22/90)

WAC 456-10-755 Petition for reconsideration. After a final decision has been issued, any party may file a petition for reconsideration with the board. Such petition must be made, by mail or otherwise, within ten business days from the mailing of the final decision. The ~~((original and four copies of the))~~ petition for reconsideration shall be filed with the board and served upon all parties and representatives of record. The board may require that a response be made and served in the same manner. The filing of a petition for reconsideration shall suspend the final decision until action by the board. The board may deny the petition, modify its decision, or reopen the hearing. A petition for reconsideration is not available where a proposed decision was first issued.

WSR 95-01-104**PROPOSED RULES****DEPARTMENT OF ECOLOGY**

[Order 93-40—Filed December 20, 1994, 3:56 p.m.]

Original Notice.

Title of Rule: Air quality registration program, amendments to chapter 173-400 WAC, deleting WAC 173-400-100 and 173-400-101, adding WAC 173-400-099 through 173-400-104, and editing WAC 173-400-030, 173-400-110, and 173-400-171.

Purpose: The purpose of these revisions are as follows: To update the source category list to include sources subject to the federal toxics program and to accommodate sources opting out of the operating permit program; to clarify the scope of the program, including program components and registration requirements; and to establish an equitable fee structure.

Other Identifying Information: The registration program has existed for approximately twenty years. These revisions provide necessary updates to the statewide program and clarity to the sources located in ecology jurisdiction. The changes are also necessary to meet upcoming federal reporting requirements.

Statutory Authority for Adoption: RCW 70.94.151.

Statute Being Implemented: The Washington Clean Air Act.

Summary: The air quality registration program is a tool for identifying industrial and commercial sources of air pollution located in Washington. Ecology and local air pollution control agencies require annual registration and reporting of air emissions. This data is used to update emission inventories, to identify impacts, and to evaluate control strategies. In response to new federal requirements for sources of toxic air pollutants and a 1993 legislative directive, ecology is updating the program and establishing a fee system. This rule amendment will revise the list of industry categories required to register, will outline the scope of the program, and will establish a system for assessing fees.

Reasons Supporting Proposal: In addition to accommodating upcoming federal requirements, this rule incorporates

the comments, concerns, and decisions of the Air Quality Registration Advisory Workgroup.

Name of Agency Personnel Responsible for Drafting: Judy Geier, Air Quality Program, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, (206) 407-6850; Implementation and Enforcement: Local air authorities and ecology, where no local air authority, (206) 407-6850.

Name of Proponent: Department of Ecology, governmental.

Rule is necessary because of federal law, the 1990 Federal Clean Air Act, Titles III and V.

Explanation of Rule, its Purpose, and Anticipated Effects: The air quality registration program is a tool for identifying sources of air pollution, for quantifying their emissions, and for verifying compliance with state and federal control requirements. First promulgated in 1976, the registration program is implemented statewide. In areas where there are no active air quality control agencies, ecology administers the registration program.

These changes update the source list, clarify the program components, and create an equitable system for assessing fees. They were influenced by the following:

Changes to federal and state Clean Air Acts. Changes were made to both acts in the early 1990s which created a new emphasis on smaller sources of toxic air emissions. These rule revisions update the registration source category list to accommodate sources subject to federal and state toxic rules.

Address sources opting out of the operating permit program. Under the 1990 changes to the federal Clean Air Act, large sources can avoid obtaining an operating permit by requesting and receiving limitations on their process or emissions. Continuous verification of compliance with those limitations is required under the federal program. These rule revisions clarify the process for verifying compliance through the registration program.

Legislative funding directive. The 1991 changes to the Washington Clean Air Act reflect the legislature's intent that the cost of regulating sources be shared by those regulated. In 1993, the legislature approved a four-part strategy for funding the regulation of industrial and commercial sources. That strategy included fees as the primary source of funding for the registration program. Ecology and local air authorities have historically had the authority to assess registration fees under RCW 70.94.151. Until May 1994, ecology had never exercised that authority.

This rule will provide the necessary updates to the registration source category list to accommodate sources subject to the upcoming federal toxics program. The process for verifying compliance will be clarified through this rule. This rule also outlines a program design and fee structure that more equitably matches the level of ecology's regulatory involvement with the source to its environmental impact.

Proposal Changes the Following Existing Rules: The changes are detailed above.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? Yes. A copy of the statement may be obtained by writing to: Tony Warfield, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (206) 407-6892, or FAX (206) 407-6802.

Hearing Location: On Tuesday, January 24, 1995, at 7 p.m., at the Hal Holmes Center, 201 North Ruby, Ellensburg,

WA, (509) 962-7240; on Wednesday, January 25, 1995, at 7 p.m., at the Council Chambers, 505 Swift Boulevard, Richland, WA, (509) 943-7381; on Thursday, January 26, 1995, at 7 p.m., at the Ecology Eastern Regional Office, North 4601 Monroe, #202, Spokane, WA, (509) 456-2926; and on Monday, January 30, 1995, at 7 p.m., at the Chelan County Public Utilities Department (PUD), 1034 East Woodin Avenue, Chelan, WA, (509) 682-2581.

Assistance for Persons with Disabilities: Contact Susan Campbell, (206) 407-6825, a minimum of ten days prior to the hearing, TDD (206) 407-6006.

Submit Written Comments to: Judy Geier, Air Quality Program, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, FAX (206) 407-6802, by February 6, 1995.

Date of Intended Adoption: March 22, 1995.

December 19, 1994

Mary Riveland

Director

AMENDATORY SECTION (Amending Order 93-03, filed 8/20/93, effective 9/20/93)

WAC 173-400-030 Definitions. Except as provided elsewhere in this chapter, the following definitions apply throughout the chapter:

(1) "Actual emissions" means the actual rate of emissions of a pollutant from an emission unit, as determined in accordance with (a) through (c) of this subsection.

(a) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal source operation. Ecology or an authority shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the emissions unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(b) Ecology or an authority may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the emissions unit.

(c) For any emissions unit which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the emissions unit on that date.

(2) "Adverse impact on visibility" means visibility impairment which interferes with the management, protection, preservation, or enjoyment of the visitor's visual experience of the Federal Class I area. This determination must be made on a case-by-case basis taking into account the geographic extent, intensity, duration, frequency, and time of visibility impairment, and how these factors correlate with (a) times of visitor use of the Federal Class I area, and (b) the frequency and timing of natural conditions that reduce visibility. This term does not include effects on integral vistas.

(3) "Air contaminant" means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substance, or any combination thereof. "Air pollutant" means the same as "air contaminant."

(4) "Air pollution" means the presence in the outdoor atmosphere of one or more air contaminants in sufficient

quantities, and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interferes with enjoyment of life and property. For the purposes of this chapter, air pollution shall not include air contaminants emitted in compliance with chapter 17.21 RCW, the Washington Pesticide Application Act, which regulates the application and control of the use of various pesticides.

(5) "Allowable emissions" means the emission rate of a stationary source calculated using the maximum rated capacity of the stationary source (unless the stationary source is subject to federally enforceable limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

(a) The applicable standards as set forth in 40 CFR Part 60 or 61;

(b) Any applicable state implementation plan emissions limitation including those with a future compliance date; or

(c) The emissions rate specified as a federally enforceable permit condition, including those with a future compliance date.

(6) "Ambient air" means the surrounding outside air.

(7) "Ambient air quality standard" means an established concentration, exposure time, and frequency of occurrence of air contaminant(s) in the ambient air which shall not be exceeded.

(8) "Authority" means any air pollution control agency whose jurisdictional boundaries are coextensive with the boundaries of one or more counties.

(9) "Best available control technology (BACT)" means an emission limitation based on the maximum degree of reduction for each air pollutant subject to regulation under chapter 70.94 RCW emitted from or which results from any new or modified stationary source, which the permitting authority, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes and available methods, systems, and techniques, including fuel cleaning, clean fuels, or treatment or innovative fuel combustion techniques for control of each such pollutant. In no event shall application of the "best available control technology" result in emissions of any pollutants which will exceed the emissions allowed by any applicable standard under 40 CFR Part 60 and Part 61, as they exist on May 7, 1993, or their later enactments as adopted by reference by the director by rule. Emissions from any source utilizing clean fuels, or any other means, to comply with this paragraph shall not be allowed to increase above levels that would have been required under the definition of BACT in the Federal Clean Air Act as it existed prior to enactment of the Clean Air Act Amendments of 1990.

(10) "Best available retrofit technology (BART)" means an emission limitation based on the degree of reduction achievable through the application of the best system of continuous emission reduction for each pollutant which is emitted by an existing stationary facility. The emission limitation must be established, on a case-by-case basis, taking into consideration the technology available, the costs of compliance, the energy and nonair quality environmental impacts of compliance, any pollution control equipment in use or in existence at the source, the remaining useful life of

the source, and the degree of improvement in visibility which may reasonably be anticipated to result from the use of such technology.

(11) "Bubble" means a set of emission limits which allows an increase in emissions from a given emissions unit(s) in exchange for a decrease in emissions from another emissions unit(s), pursuant to RCW 70.94.155 and WAC 173-400-120.

(12) "Capacity factor" means the ratio of the average load on equipment or a machine for the period of time considered, to the manufacturer's capacity rating of the machine or equipment.

(13) "Class I area" means any area designated pursuant to §§ 162 or 164 of the Federal Clean Air Act as a Class I area. The following areas are the Class I areas in Washington state:

Alpine Lakes Wilderness;
Glacier Peak Wilderness;
Goat Rocks Wilderness;
Mount Adams Wilderness;
Mount Rainier National Park;
North Cascades National Park;
Olympic National Park;
Pasayten Wilderness;
Spokane Indian Reservation.

(14) "Combustion and incineration sources" means units using combustion for waste disposal, steam production, chemical recovery or other process requirements; but excludes open burning.

(15) "Commenced construction" means that the owner or operator has all the necessary preconstruction approvals or permits and either has:

(a) Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time; or

(b) Entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

(16) "Concealment" means any action taken to reduce the observed or measured concentrations of a pollutant in a gaseous effluent while, in fact, not reducing the total amount of pollutant discharged.

(17) "Director" means director of the Washington state department of ecology or duly authorized representative.

(18) "Dispersion technique" means a method which attempts to affect the concentration of a pollutant in the ambient air other than by the use of pollution abatement equipment or integral process pollution controls.

(19) "Ecology" means the Washington state department of ecology.

(20) "Emission" means a release of air contaminants into the ambient air.

(21) "Emission reduction credit (ERC)" means a credit granted pursuant to WAC 173-400-131. This is a voluntary reduction in emissions.

(22) "Emission standard" and "emission limitation" means a requirement established under the FCAA or chapter 70.94 RCW which limits the quantity, rate, or concentration of emissions of air contaminants on a continuous basis, including any requirement relating to the operation or

maintenance of a source to assure continuous emission reduction and any design, equipment work practice, or operational standard promulgated under the FCAA or chapter 70.94 RCW.

(23) "Emissions unit" means any part of a stationary source or source which emits or would have the potential to emit any pollutant subject to regulation under the FCAA, chapter 70.94 or 70.98 RCW.

(24) "Excess emissions" means emissions of an air pollutant in excess of any applicable emission standard.

(25) "Excess stack height" means that portion of a stack which exceeds the greater of sixty-five meters or the calculated stack height described in WAC 173-400-200(2).

(26) "Existing stationary facility" means a stationary source of air pollutants which has the potential to emit two hundred fifty tons per year or more of any air pollutant. In determining potential to emit, fugitive emissions, to the extent quantifiable, must be counted. For purposes of determining whether a stationary source is an existing stationary facility the term "building, structure, facility, or installation" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant-emitting activities shall be considered as part of the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual, 1972*, as amended by the 1977 Supplement.

(27) "Federal Clean Air Act (FCAA)" means the Federal Clean Air Act, also known as Public Law 88-206, 77 Stat. 392, December 17, 1963, 42 U.S.C. 7401 et seq., as last amended by the Clean Air Act Amendments of 1990, P.L. 101-549, November 15, 1990.

(28) "Federal land manager" means, with respect to any lands in the United States, the Secretary of the department with authority over such lands.

(29) "Fossil fuel-fired steam generator" means a device, furnace, or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer.

(30) "Fugitive dust" means a particulate emission made airborne by forces of wind, man's activity, or both. Unpaved roads, construction sites, and tilled land are examples of areas that originate fugitive dust. Fugitive dust is a type of fugitive emission.

(31) "Fugitive emissions" means emissions which do not pass and which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

(32) "General process unit" means an emissions unit using a procedure or a combination of procedures for the purpose of causing a change in material by either chemical or physical means, excluding combustion.

(33) "Good engineering practice (GEP)" refers to a calculated stack height based on the equation specified in WAC 173-400-200 (2)(a)(ii).

(34) "Incinerator" means a furnace used primarily for the thermal destruction of waste.

(35) "In operation" means engaged in activity related to the primary design function of the source.

(36) "Integral vista" means a view perceived from within a mandatory Class I federal area of a specific landmark or panorama located outside the boundary of the mandatory Class I federal area.

(37) "Lowest achievable emission rate (LAER)" means for any source that rate of emissions which reflects the more stringent of:

(a) The most stringent emission limitation which is contained in the implementation plan of any state for such class or category of source, unless the owner or operator of the proposed new or modified source demonstrates that such limitations are not achievable; or

(b) The most stringent emission limitation which is achieved in practice by such class or category of source.

In no event shall the application of this term permit a proposed new or modified source to emit any pollutant in excess of the amount allowable under applicable new source performance standards.

(38) "Mandatory Class I federal area" means any area defined in Section 162(a) of the FCAA. The mandatory Class I federal areas in Washington state are as follows:

Alpine Lakes Wilderness;
Glacier Peak Wilderness;
Goat Rocks Wilderness;
Mount Adams Wilderness;
Mount Rainier National Park;
North Cascades National Park;
Olympic National Park;
Pasayten Wilderness.

(39) "Major modification" means any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the FCAA. Any net emissions increase that is considered significant for volatile organic compounds or nitrogen oxides shall be considered significant for ozone. A physical change or change in the method of operation shall not include:

(a) Routine maintenance, repair, and replacement;

(b) Use of an alternative fuel or raw material by reason of an order under Sections 2(a) and (b) of the Energy Supply and Environmental Supply Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;

(c) Use of an alternative fuel by reason of an order or rule under section 125 of the FCAA, 42 U.S.C. 7425;

(d) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

(e) Use of an alternative fuel or raw material by a stationary source which:

(i) The stationary source was capable of accommodating before December 21, 1976, unless such change would be prohibited under any federally enforceable permit condition which was established after December 12, 1976, in a prevention of significant deterioration permit or notice of construction approval; or

(ii) The stationary source is approved to use under any federally-enforceable notice of construction approval or a PSD permit issued by the environmental protection agency;

(f) An increase in the hours of operation or in the production rate, unless such change is prohibited under any federally enforceable permit condition which was established after December 21, 1976, in a prevention of significant deterioration permit or a notice of construction approval;

(g) Any change in ownership at a stationary source..

(40) "Major stationary source" means:

(a) Any stationary source which:

(i) Emits or has the potential to emit one hundred tons per year or more of any air contaminant regulated by the state or Federal Clean Air Acts; or

(ii) Is located in a "marginal" or "moderate" ozone nonattainment area and which emits or has the potential to emit one hundred tons per year or more of volatile organic compounds or oxides of nitrogen.

(b) Any stationary source (or group of stationary sources) which:

(i) Is located in a "serious" carbon monoxide nonattainment area where stationary sources contribute significantly to carbon monoxide levels and which emits or has the potential to emit fifty tons per year or more of carbon monoxide; or

(ii) Is located in a "serious" particulate matter (PM₁₀) nonattainment area and which emits or has the potential to emit seventy tons per year or more of PM₁₀ emissions.

(c) Any physical change that would occur at a stationary source not qualifying under (a) or (b) of this subsection as a major stationary source, if the change would constitute a major stationary source by itself;

(d) A major stationary source that is major for VOCs or NO_x shall be considered major for ozone;

(e) The fugitive emissions of a stationary source shall not be included in determining whether it is a major stationary source, unless the stationary source belongs to one of the following categories of stationary sources or the source is a major stationary source due to (b) of this subsection:

(i) Coal cleaning plants (with thermal dryers);

(ii) Kraft pulp mills;

(iii) Portland cements plants;

(iv) Primary zinc smelters;

(v) Iron and steel mills;

(vi) Primary aluminum ore reduction plants;

(vii) Primary copper smelters;

(viii) Municipal incinerators capable of charging more than two hundred fifty tons of refuse per day;

(ix) Hydrofluoric, sulfuric, or nitric acid plants;

(x) Petroleum refineries;

(xi) Lime plants;

(xii) Phosphate rock processing plants;

(xiii) Coke oven batteries;

(xiv) Sulfur recovery plants;

(xv) Carbon black plants (furnace process);

(xvi) Primary lead smelters;

(xvii) Fuel conversion plants;

(xviii) Sintering plants;

(xix) Secondary metal production plants;

(xx) Chemical process plants;

(xxi) Fossil-fuel boilers (or combination thereof) totaling more than two hundred fifty million British thermal units per hour heat input;

(xxii) Petroleum storage and transfer units with a total storage capacity exceeding three hundred thousand barrels;

(xxiii) Taconite ore processing plants;

(xxiv) Glass fiber processing plants;

(xxv) Charcoal production plants;

(xxvi) Fossil fuel-fired steam electric plants of more than two hundred fifty million British thermal units per hour heat input; and

(xxvii) Any other stationary source category which, as of August 7, 1980, was being regulated under sections 111 or 112 of the Federal Clean Air Act.

(f) For purposes of determining whether a stationary source is a major stationary source, the term "building, structure, facility, or installation" means all the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual, 1972*, as amended by the 1977 Supplement.

(41) "Masking" means the mixing of a chemically nonreactive control agent with a malodorous gaseous effluent to change the perceived odor.

(42) "Materials handling" means the handling, transporting, loading, unloading, storage, and transfer of materials with no significant chemical or physical alteration.

(43) "Modification" means any physical change in, or change in the method of operation of, a stationary source that increases the amount of any air contaminant emitted by such source or that results in the emissions of any air contaminant not previously emitted. The term modification shall be construed consistent with the definitions of modification in Section 7411, Title 42, United States Code, and with rules implementing that section.

(44) "National Emission Standards for Hazardous Air Pollutants (NESHAPS)" means the federal regulations set forth in 40 CFR Part 61.

(45) "Natural conditions" means naturally occurring phenomena that reduce visibility as measured in terms of visual range, contrast, or coloration.

(46) "Net emissions increase" means:

(a) The amount by which the sum of the following exceeds zero:

(i) Any increase in actual emissions from a particular change or change in method of operation at a source; and

(ii) Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.

(b) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between the date ten years before construction on the particular change commences and the date that the increase from the particular change occurs.

(c) An increase or decrease in actual emissions is creditable only if:

(i) It occurred no more than one year prior to the date of submittal of a complete notice of construction application for the particular change, or it has been documented by an emission reduction credit, in which case the credit shall expire ten years after the date of original issue of the ERC. Any emissions increases occurring between the date of issuance of the ERC and the date when a particular change becomes operational shall be counted against the ERC.

(ii) Ecology or the authority has not relied on it in issuing any permit or order of approval for the source under regulations approved pursuant to 40 CFR 51 Subpart I or the EPA has not relied on it in issuing a PSD permit pursuant to

40 CFR 52.21, which order or permit is in effect when the increase in actual emissions from the particular change occurs.

(d) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(e) A decrease in actual emissions is creditable only to the extent that:

(i) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

(ii) It is federally enforceable at and after the time that actual construction on the particular change begins;

(iii) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change; and

(iv) Ecology or the authority has not relied on it in issuing any permit or order of approval under regulations approved pursuant to 40 CFR 51 Subpart I, the EPA has not relied on it in issuing a PSD permit pursuant to 40 CFR 52.21, or ecology or the authority has not relied on it in demonstrating attainment or reasonable further progress.

(f) An increase that results from a physical change at a source occurs when the emission unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed one hundred eighty days.

(47) "New source" means:

(a) The construction or modification of a stationary source that increases the amount of any air contaminant emitted by such source or that results in the emission of any air contaminant not previously emitted; and

(b) Any other project that constitutes a new source under the Federal Clean Air Act.

(48) "New source performance standards (NSPS)" means the federal regulations set forth in 40 CFR Part 60.

(49) "Nonattainment area" means a clearly delineated geographic area which has been designated by EPA promulgation as exceeding a national ambient air quality standard or standards for one or more of the criteria pollutants.

(50) "Notice of construction application" means a written application to permit construction of a new source, modification of an existing stationary source or replacement or substantial alteration of control technology at an existing stationary source.

(51) "Opacity" means the degree to which an object seen through a plume is obscured, stated as a percentage.

(52) "Open burning" means the combustion of material in an open fire or in an outdoor container, without providing for the control of combustion or the control of the emissions from the combustion. Wood waste disposal in wigwam burners is not considered open burning.

(53) "Order" means any order issued by ecology or a local air authority pursuant to chapter 70.94 RCW, including, but not limited to RCW 70.94.332, 70.94.152, 70.94.153, and 70.94.141(3), and includes, where used in the generic sense, the terms order, corrective action order, order of approval, and regulatory order.

(54) "Order of approval" or "approval order" means a regulatory order issued by ecology or the authority to approve the notice of construction application for a proposed

new source or modification, or the replacement or substantial alteration of control technology at an existing stationary source.

(55) "Particulate matter" or "particulates" means any airborne finely divided solid or liquid material with an aerodynamic diameter smaller than 100 micrometers.

(56) "Particulate matter emissions" means all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air as measured by applicable reference methods, or an equivalent or alternative method specified in 40 CFR Part 60 or by a test method specified in the Washington state implementation plan.

(57) "Parts per million (ppm)" means parts of a contaminant per million parts of gas, by volume, exclusive of water or particulates.

(58) "Person" means an individual, firm, public or private corporation, association, partnership, political subdivision, municipality, or government agency.

(59) "PM-10" means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by a reference method based on 40 CFR Part 50 Appendix J and designated in accordance with 40 CFR Part 53 or by an equivalent method designated in accordance with 40 CFR Part 53.

(60) "PM-10 emissions" means finely divided solid or liquid material, including condensable particulate matter, with an aerodynamic diameter less than or equal to a nominal 10 micrometers emitted to the ambient air as measured by an applicable reference method, or an equivalent or alternate method, specified in Appendix M of 40 CFR Part 51 or by a test method specified in the Washington state implementation plan.

(61) "Potential to emit" means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

(62) "Prevention of significant deterioration (PSD)" means the program set forth in WAC 173-400-141.

(63) "Projected width" means that dimension of a structure determined from the frontal area of the structure, projected onto a plane perpendicular to a line between the center of the stack and the center of the building.

(64) "Reasonably attributable" means attributable by visual observation or any other technique the state deems appropriate.

(65) "Reasonably available control technology (RACT)" means the lowest emission limit that a particular source or source category is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility. RACT is determined on a case-by-case basis for an individual source or source category taking into account the impact of the source upon air quality, the availability of additional controls, the emission reduction to be achieved by additional controls, the impact of additional controls on air quality, and the capital

and operating costs of the additional controls. RACT requirements for any source or source category shall be adopted only after notice and opportunity for comment are afforded.

(66) "Regulatory order" means an order issued by ecology or an authority to an air contaminant source which applies to that source, any applicable provision of chapter 70.94 RCW, or the rules adopted thereunder, or, for sources regulated by a local air authority, the regulations of that authority.

(67) "Significant" means, in reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emission equal to or greater than any one of the following rates:

Pollutant	Tons/Year
Carbon monoxide	100
Nitrogen oxides	40
Sulfur dioxide	40
Particulate matter (PM)	25
Fine particulate matter (PM ₁₀)	15
Volatile organic compounds (VOC)	40
Lead	0.6
Fluorides	3
Sulfuric acid mist	7
Hydrogen sulfide (H ₂ S)	10
Total reduced sulfur (including H ₂ S)	10
Municipal waste combustor organics (measured as total tetra-through octa-chlorinated dibenzo-p-dioxins and dibenzofurans)	0.0000035
Municipal waste combustor metals (measured as PM)	15
Municipal waste combustor acid gases (measured as SO ₂ and hydrogen chloride)	40

(68) "Significant visibility impairment" means visibility impairment which interferes with the management, protection, preservation, or enjoyment of visitor visual experience of the Class I area. The determination must be made on a case-by-case basis, taking into account the geographic extent, intensity, duration, frequency, and time of the visibility impairment, and how these factors correlate with the time of visitor use of the Class I area and frequency and timing of natural conditions that reduce visibility.

(69) "Source" means all of the emissions unit(s) including quantifiable fugitive emissions, that are located on one or more contiguous or adjacent properties, and are under the control of the same person or persons under common control, whose activities are ancillary to the production of a single product or functionally related groups of products. Activities shall be considered ancillary to the production of a single product or functionally related group of products if they belong to the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual, 1972*, as amended by the 1977 Supplement.

(70) "Source category" means all sources of the same type or classification.

(71) "Stack" means any point in a source designed to emit solids, liquids, or gases into the air, including a pipe or duct.

(72) "Stack height" means the height of an emission point measured from the ground-level elevation at the base of the stack.

(73) "Standard conditions" means a temperature of 20°C (68°F) and a pressure of 760 mm (29.92 inches) of mercury.

(74) "Stationary source" means any building, structure, facility, or installation which emits or may emit any contaminant. This term does not include emissions resulting directly from an internal combustion engine for transportation purposes or from a nonroad engine or nonroad vehicle as defined in Section 216 of the FCAA.

(75) "Sulfuric acid plant" means any facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, or acid sludge.

(76) "Synthetic minor" means any source whose emissions have been limited below the applicable major source definition of WAC 173-401-200(17) through establishment of federally enforceable limitations under any of the methods described in WAC 173-401-300(7).

(77) "Total reduced sulfur (TRS)" means the sum of the sulfur compounds hydrogen sulfide, mercaptans, dimethyl sulfide, dimethyl disulfide, and any other organic sulfides emitted and measured by EPA method 16 or an approved equivalent method and expressed as hydrogen sulfide.

(78) "Total suspended particulate" means particulate matter as measured by the method described in 40 CFR Part 50 Appendix B as in effect on July 1, 1988.

(79) "United States Environmental Protection Agency (USEPA)" shall be referred to as EPA.

(80) "Visibility impairment" means any perceptible degradation in visibility (visual range, contrast, coloration) not caused by natural conditions.

(81) "Visibility impairment of Class I areas" means visibility impairment within the area and visibility impairment of any formally designated integral vista associated with the area.

(82) "Volatile organic compound (VOC)" means:

(a) Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. This includes any organic compound other than the following, which have negligible photochemical activity: Methane; ethane; methylene chloride (dichloromethane); 1,1,1-trichloroethane (methyl chloroform); 1,1,1-trichloro 2,2,2-trifluoroethane (CFC-113); trichlorofluoromethane (CFC-11); dichlorodifluoromethane (CFC-12); chlorodifluoromethane (CFC-22); trifluoromethane (FC-23); 1,1,2,2-tetrafluoroethane (CFC-114); chloropentafluoroethane (CFC-115); 1,1,1-trifluoro 2,2-dichloroethane (HCFC-123); 1,1,1,2-tetrafluoroethane (HFC-134a); 1,1-dichloro 1-fluoroethane (HCFC-141b); 1-chloro 1,1-difluoroethane (HCFC-142b); 2-chloro 1,1,1,2-tetrafluoroethane (HCFC-124); pentafluoroethane (HFC-125); 1,1,2,2-tetrafluoroethane (HFC-134); 1,1,1-trifluoroethane (HFC-143a); 1,1-difluoroethane (HFC-152a); and perfluorocarbon compounds which fall into these classes:

(i) Cyclic, branched, or linear completely fluorinated alkanes;

(ii) Cyclic, branched, or linear completely fluorinated ethers with no unsaturations; and

(iii) Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

PROPOSED

(b) For the purpose of determining compliance with emission limits, VOC will be measured by the appropriate methods in 40 CFR Part 60 Appendix A. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-reactive compounds may be excluded as VOC if the amount of such compounds is accurately quantified, and such exclusion is approved by ecology or the authority.

(c) As a precondition to excluding these negligibly-reactive compounds as VOC or at any time thereafter, ecology or the authority may require an owner or operator to provide monitoring or testing methods and results demonstrating, to the satisfaction of ecology or the authority, the amount of negligibly-reactive compounds in the source's emissions.

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 173-400-099 Registration program. (1) Program purpose. The registration program is a program to develop and maintain a current and accurate record of air contaminant sources. Information collected through the registration program is used to evaluate the effectiveness of air pollution control strategies and to verify source compliance with applicable air pollution requirements.

(2) Program components. The components of the registration program consist of:

(a) Initial registration and annual or other periodic reports from stationary source owners providing information on location, size, height of contaminant outlets, processes employed, nature and quantity of the air contaminant emissions, and other information that is relevant to air pollution and available or reasonably capable of being assembled. For purposes of this chapter, information relevant to air pollution may include air pollution requirements established by rule, regulatory order, or ordinance pursuant to chapter 70.94 RCW.

(b) On-site inspections necessary to verify compliance with registration requirements.

(c) Data storage and retrieval systems necessary for support of the registration program.

(d) Emission inventory reports and emission reduction credits computed from information provided by source owners pursuant to registration requirements.

(e) Staff review, including engineering analysis for accuracy and currentness, of information provided by source owners pursuant to registration program requirements.

(f) Clerical and other office support in direct furtherance of the registration program.

(g) Administrative support provided in directly carrying out the registration program.

AMENDATORY SECTION (Amending Order 93-03, filed 8/20/93, effective 9/20/93)

WAC 173-400-100 ((Registration)) Source classifications. ~~(((1) Except as provided in subsection (4) of this section, the owner or operator of each source within the~~

~~following source categories shall register the source with ecology or the authority:~~

- ~~(a) Agricultural drying and dehydrating operations;~~
- ~~(b) Asphalt plants;~~
- ~~(c) Beverage can surface coating operations;~~
- ~~(d) Bulk gasoline terminals;~~
- ~~(e) Cattle feedlots with facilities for one thousand or more cattle;~~
- ~~(f) Chemical plants;~~
- ~~(g) Ferrous foundries;~~
- ~~(h) Fertilizer plants;~~
- ~~(i) Flexible vinyl and urethane coating and printing operations;~~
- ~~(j) Grain handling, seed processing, pea and lentil processing facilities;~~
- ~~(k) Metallic mineral processing plants;~~
- ~~(l) Mineralogical processing plants;~~
- ~~(m) Nonferrous foundries;~~
- ~~(n) Other metallurgical processing plants;~~
- ~~(o) Petroleum refineries;~~
- ~~(p) Power boilers using coal, hog fuel, oil, or other solid or liquid fuel;~~
- ~~(q) Pressure sensitive tape and label surface coating operations;~~
- ~~(r) Rendering plants;~~
- ~~(s) Scrap metal operations;~~
- ~~(t) Synthetic organic chemical manufacturing industries;~~
- ~~(u) Sulfuric acid plants;~~
- ~~(v) Synthetic fiber production facilities;~~
- ~~(w) Veneer dryers;~~
- ~~(x) Wood waste incinerators including wigwam burners;~~
- ~~(y) Other incinerators designed for a capacity of one hundred pounds per hour or more;~~
- ~~(z) Stationary internal combustion engines rated at five hundred horse power or more;~~
- ~~(aa) Sawmills, including processing for lumber, plywood, shake, shingle, pulpwood insulating board, or any combination thereof;~~
- ~~(bb) Any category of stationary sources subject to a federal standard of performance (NSPS) under 40 CFR Part 60, other than Subpart AAA (Standards of Performance for New Residential Wood Heaters);~~
- ~~(cc) Any source which emits a contaminant subject to a National Emission Standard for Hazardous Air Pollutants (NESHAPS);~~
- ~~(dd) Any major stationary source.~~

~~(2) Registration shall be on forms to be supplied by ecology or the authority within the time specified on the form.~~

~~(3) A report of closure shall be filed with ecology or the authority within ninety days after operations producing emissions permanently cease at any source within the above categories.~~

~~(4) Permit program sources, as defined in RCW 70.94.030(17), are not required to comply with the registration requirements of this section after the Environmental Protection Agency grants interim or final approval for the state operating permit program.)) (1) Source classification list. In counties without an active local air pollution control authority, the owner or operator of each stationary source within the following source categories shall register the source with ecology:~~

PROPOSED

- (a) Agricultural chemical facilities engaging in the manufacturing of liquid or dry fertilizers or pesticides;
- (b) Agricultural drying and dehydrating operations;
- (c) Any category of stationary sources to which a federal standard of performance (NSPS) under 40 CFR Part 60, other than Subpart AAA (Standards of Performance for New Residential Wood Heaters) applies;
- (d) Any source category subject to a National Emission Standard for Hazardous Air Pollutants (NESHAPS) under 40 CFR Part 61, other than Subpart M (Natural Emission Standard for Asbestos) or a Maximum Achievable Control Technology (MACT) standard established under Section 112 of the Federal Clean Air Act;
- (e) Any source, stationary source or emission unit with a significant emission as defined by WAC 173-400-030(67);
- (f) Asphalt and asphalt products production facilities;
- (g) Brick and clay manufacturing plants, including tiles and ceramics;
- (h) Bulk gasoline terminals; bulk gasoline plants and gasoline loading terminals;
- (i) Casting facilities and foundries, ferrous and nonferrous;
- (j) Cattle feedlots with facilities for one thousand or more cattle in operation between June 1 and October 1, where vegetation forage growth is not sustained over the majority of the lot during the normal growing season;
- (k) Chemical manufacturing plants;
- (l) Composting operations, including commercial, industrial and municipal, but exempting residential composting activities;
- (m) Concrete product manufacturers and ready mix and premix concrete plants;
- (n) Crematoria or animal carcass incinerators;
- (o) Dry cleaning plants;
- (p) Materials handling and transfer facilities that generate fine particulate, which may include pneumatic conveying, cyclones, baghouses, and industrial housekeeping vacuuming systems that exhaust to the atmosphere;
- (q) Flexible vinyl and urethane coating and printing operations;
- (r) Grain, seed, animal feed, legume, and flour processing operations, and handling facilities;
- (s) Hay cubers and pelletizers;
- (t) Hazardous waste treatment and disposal facilities;
- (u) Ink manufacturers;
- (v) Insulation fiber manufacturers;
- (w) Landfills, active and inactive, including covers, gas collections systems or flares;
- (x) Metal plating and anodizing operations;
- (y) Metallic and nonmetallic mineral processing plants, including rock crushing plants;
- (z) Mills such as lumber, plywood, shake, shingle, woodchip, veneer operations, dry kilns, pulpwood insulating board, or any combination thereof;
- (aa) Mineralogical processing plants;
- (bb) Other metallurgical processing plants;
- (cc) Paper manufacturers;
- (dd) Petroleum refineries;
- (ee) Plastics and fiberglass product fabrication facilities;
- (ff) Rendering plants;
- (gg) Soil and groundwater remediation projects;
- (hh) Surface coating manufacturers;

- (ii) Surface coating operations including: Automotive, metal, cans, pressure sensitive tape, labels, coils, wood, plastic, rubber, glass, paper and other substrates;
 - (jj) Synthetic fiber production facilities;
 - (kk) Synthetic organic chemical manufacturing industries;
 - (ll) Tire recapping facilities;
 - (mm) Wastewater treatment plants;
 - (nn) Any source that has elected to opt-out of the operating permit program by limiting its potential-to-emit (synthetic minor).
- (2) Equipment classification list. In counties without an active local air pollution control authority, the owner or operator of the following equipment shall register the source with ecology:
- (a) Boilers, all solid and liquid fuel burning boilers with the exception of those utilized for residential heating and all gas fired boilers above 10 million British thermal units per hour input;
 - (b) Chemical concentration evaporators;
 - (c) Degreasers; vapor, cold, open top and conveyORIZED;
 - (d) Ethylene oxide (ETO) sterilizers;
 - (e) Flares utilized to combust any gaseous material;
 - (f) Fuel burning equipment with a heat input of more than 1 million Btu per hour; except heating, air conditioning systems, or ventilating systems not designed to remove contaminants generated by or released from equipment;
 - (g) Incinerators designed for a capacity of one hundred pounds per hour or more;
 - (h) Ovens, burn-out and heat-treat;
 - (i) Stationary internal combustion engines and turbines rated at five hundred horsepower or more;
 - (j) Storage tanks for organic liquids associated with commercial or industrial facilities with capacities greater than 40,000 gallons;
 - (k) Vapor collection systems within commercial or industrial facilities;
 - (l) Waste oil burners above 0.5 mm Btu heat output;
 - (m) Woodwaste incinerators.

AMENDATORY SECTION (Amending Order 93-39, filed 4/29/94, effective 5/30/94)

WAC 173-400-101 Registration ((interim-fee) issuance. (((1)-The department shall assess and collect from registered sources within its jurisdiction an interim assessment to fund a portion of the department's registration program development. Registered sources include:

- (a) Facilities and emission units currently registered with the department; and
- (b) Other facilities and emission units subject to WAC 173-400-100 that the department determines by April 1, 1994, to be within its jurisdiction.

(2) The amount collected from the interim fee shall not exceed one hundred sixty thousand dollars. The interim fee will be assessed to sources in the following categories according to the schedule listed in Table A.

TABLE A

<u>(a) Agricultural drying</u>	<u>\$600</u>
<u>(b) Asphalt plants</u>	<u>\$600</u>
<u>(c) Beverage can surface coating</u>	<u>\$600</u>

(d)	Bulk gasoline terminals	\$600
(e)	Cattle feedlots >1000	\$600
(f)	Chemical plants	\$600
(g)	Ferrous foundries	\$600
(h)	Fertilizer plants	\$600
(i)	Flexible vinyl & urethane coating & printing operations	\$600
(j)	Grain handling, seed processing, etc.	\$300
(k)	Metallic mineral processing plants	\$600
(l)	Mineralogical processing plants	\$600
(m)	Nonferrous foundries	\$600
(n)	Other metallurgical processing plants	\$600
(o)	Petroleum refineries	\$600
(p)	Power boilers using coal, hog fuel, oil, or other solid or liquid fuel	\$600
(q)	Pressure sensitive tape & label surface coating operations	\$600
(r)	Rendering plants	\$600
(s)	Scrap metal operations	\$600
(t)	Synthetic organic chemical manufacturing industries	\$600
(u)	Sulfuric acid plants	\$600
(v)	Synthetic fiber production facilities	\$600
(w)	Veneer dryers	\$600
(x)	Wood waste incinerators including wigwam burners	\$600
(y)	Other incinerators designed for a capacity of one hundred lbs. per hour or more	\$600
(z)	Stationary internal combustion engines rated at five hundred horse power or more	\$600
(aa)	Sawmills, including processing for lumber, plywood, shake, shingle, pulpwood insulating board, or any combination	\$600
(bb)	Except for country grain elevators, any category of stationary sources subject to a federal standard of performance (NSPS) under 40 CFR Part 60, other than Subpart AAA (Standards of Performance for New Residential Wood Heaters)	\$600
(cc)	Except for country grain elevators, any source which emits a contaminant subject to a National Emission Standard for Hazardous Air Pollutants (NESHAPS)	\$600

(3) The fee schedule in subsection (2) of this section is based upon sources within each source category paying the same fee. Ecology may approve alternate methods of allocating the fees among two or more sources within the same source category. Groups of sources requesting an

alternate schedule must submit a written request signed by all sources subject to the alternate method prior to May 1, 1994. The written request must specify fee amounts for each source and demonstrate that the aggregate fee amount to be collected from those sources is equal to the aggregate amount that would be collected under subsection (2) of this section. Sources within a source category who elect not to participate in such an agreement shall pay the applicable amount specified in subsection (2) of this section.

(4) Sources subject to the interim operating permit fee established pursuant to RCW 70.94.161 shall not be required to pay an interim registration fee.

(5) The department shall determine the persons subject to the interim registration fee and will provide a billing notice by June 1, 1994, with collection due thirty days later. (1) General. Any person operating or responsible for the operation of an air contaminant source for which registration and reporting are required shall register the source emission unit with ecology or the authority. The owner or operator shall make reports containing information as may be required by ecology or the authority concerning location, size and height of contaminant outlets, processes employed, nature and quantity of the air contaminant emission and such other information as is relevant to air pollution and available or reasonably capable of being assembled.

(2) Registration form. Registration information shall be provided on forms supplied by ecology or the authority and shall be completed and returned within the time specified on the form. Emission units within the facility shall be listed separately unless ecology or the authority determines that certain emission units may be combined into process streams for purposes of registration and reporting.

(3) Signatory responsibility. The owner, operator, or their designated management representative shall sign the registration form for each source. The owner or operator of the source shall be responsible for notifying ecology or the authority of the existence of the source, and for the accuracy, completeness, and timely submittal of registration reporting information and any accompanying fee.

(4) Operational and maintenance plan. Owners or operators of registered sources within ecology's jurisdiction shall maintain an operation and maintenance plan for process and control equipment. The plan shall reflect good industrial practice and shall include a record of performance and periodic inspections of process and control equipment. In most instances, a manufacturer's operations manual or an equipment operation schedule may be considered a sufficient operation and maintenance plan. The plan shall be reviewed and updated by the source owner or operator at least annually. A copy of the plan shall be made available to ecology upon request.

(5) Report of closure. A report of closure shall be filed with ecology or the authority within ninety days after operations producing emissions permanently cease at any applicable source under this section.

(6) Report of change of ownership. A new owner or operator shall report to ecology or the authority within ninety days of any change of ownership or change in operator.

(7) Regulatory order for limiting emissions. Source owners or operators registering as synthetic minors shall be

registered and must request and receive a regulatory order that voluntarily limits their emissions.

(8) Operating permit program source exemption. Permit program sources, as defined in RCW 70.94.030(17), are not required to comply with the registration requirements of this section.

NEW SECTION

WAC 173-400-102 Scope of registration and reporting requirements. (1) Administrative options. A source in a listed source category that is located in a county without an active local air authority will be addressed in one of several ways:

(a) The source will be required to register and report once each year. The criteria for identifying these sources are listed in subsection (2) of this section.

(b) The source will be required to register and report once every three years. The criteria for identifying these sources are listed in subsection (3) of this section.

(c) The source will be exempted from registration program requirements. The criteria for identifying these sources are listed in subsection (4) of this section.

(2) Sources requiring annual registration and inspections. An owner or operator of a source in a listed source category that is located in a county without an active local air authority shall register and report once each year if the source meets the following criteria:

(a) The source emits one or more pollutants at rates greater than the emission rates listed in WAC 173-400-030(67);

(b) Annual registration and reporting is necessary to comply with federal reporting requirements and emission standards; or

(c) Annual registration and reporting is required in a reasonably available control technology determination for the source category.

(d) The director of ecology determines that the source poses a threat to human health and the environment.

(3) Sources requiring periodic registration and inspections. An owner or operator of a source in a listed source category that is located in a county without an active local air authority shall register and report once every three years if it meets the following criteria:

(a) The source emits one or more pollutants at rates greater than the emission rates listed in subsection (5) of this section and less than the emission rates listed in WAC 173-400-030(67); or

(b) The source emits measurable amounts of one or more Class A or Class B toxic air pollutants listed in WAC 173-460-150 and 173-460-160.

(4) Sources exempt from registration program requirements. Any source included in a listed source category that is located in a county without an active local air authority shall not be required to register if ecology determines the following:

(a) The source emits pollutants below emission rates specified in subsection (5) of this section; and

(b) The source or emission unit does not emit measurable amounts of Class A or Class B toxic air pollutants specified in WAC 173-460-150 and 173-460-160.

(5) Criteria for defining exempt sources. The following emission rates will be used to identify listed sources that are exempt from registration program requirements:

Pollutant	Tons/Year
Carbon Monoxide	5.0
Nitrogen oxides	2.0
Sulfur dioxide	2.0
Particulate Matter (PM)	1.25
Fine Particulate (PM10)	0.75
Volatile organic compounds (VOC)	2.0
Lead	0.03

NEW SECTION

WAC 173-400-103 Emission estimates. (1) Procedure for estimating emissions. Registration may include an estimate of actual emissions taking into account equipment, operating conditions, and air pollution control measures. Registration may also include a flowchart of plant processes, operational parameters, and specifications of air pollution control equipment. The emissions estimate shall be based upon actual test data or, in the absence of such data, upon procedures acceptable to ecology. Any emission data submitted to ecology shall be verifiable using currently accepted engineering criteria. The following procedures may be used to estimate emissions from individual sources or emissions units:

- (a) Source-specific testing data;
- (b) Mass balance calculations;
- (c) A published, verifiable emission factor that is applicable to the source; or
- (d) Other engineering calculations.

(2) Owner or operator review. Ecology will provide the owner or operator of the source an opportunity to review any emission estimates prepared by ecology. An owner or operator may submit additional information and any justification for not using the methods listed above. This information will be evaluated by ecology to determine whether it is based on currently accepted engineering criteria. If none of the above methods are available or applicable to the source, an appropriate method will be established on a case-by-case basis.

NEW SECTION

WAC 173-400-104 Registration fees. (1) Registration fee determination. Ecology shall establish registration fees based on workload using the process outlined below. The fees collected shall be sufficient to cover the direct and indirect costs of administering the registration program within ecology's jurisdiction.

(2) Budget preparation. Ecology shall conduct a workload analysis projecting resource requirements for administering the registration program. Workload estimates shall be prepared on a biennial basis and shall estimate the resources required to perform registration program activities listed in WAC 173-400-097(2). Ecology shall prepare a budget for administering the registration program using workload estimates identified in the workload analysis for the biennium.

PROPOSED

(3) Registration fee schedule. Ecology's registration program budget shall be distributed to sources located in its jurisdiction according to the following:

(a) Sources requiring periodic registration and inspections shall pay an annual registration fee of four hundred dollars.

(b) Sources requiring annual registration and inspections shall pay a registration fee comprised of the following three components:

(i) Flat component. The portion of a source's fee shall be calculated by the equal division of thirty-five percent of the budget amount allocated to annual registration sources by the number of source requiring annual registration.

(ii) Complexity component. A source's complexity is rated on a 1, 3, 5 ratio based on the amount of time needed to review and inspect a source. This portion of the fee is calculated by dividing forty percent of the budget amount allocated to annually registered sources by the total complexity of sources located in ecology's jurisdiction. The quotient is then multiplied by an individual source's complexity rating to determine that source's complexity portion of the fee.

(iii) Emissions component. This portion of a source's fee is calculated by dividing twenty-five percent of the budget amount allocated to annually registered sources by the total billable emissions from those sources. The quotient is then multiplied by an individual source's billable emissions to determine that source's emissions portion of the fee. Billable emissions include all air pollutants except carbon monoxide and total suspended particulate.

(4) Regulatory orders. Owners or operators registering a source as a synthetic minor must obtain a regulatory order which limits the source's emissions. The owner will be required to pay a fee based on the amount of time required to research and write the order multiplied by an hourly rate of sixty dollars.

(5) Fee reductions for pollution prevention initiatives. Ecology may reduce registration fees for an individual source if that source demonstrates the use of approved pollution prevention measures or best management practices beyond those required of the source.

(6) Fee reductions for economic hardships. If a small business owner believes the registration fee results in an extreme economic hardship, the small business owner may request an extreme hardship fee reduction. The owner or operator must provide sufficient evidence to support a claim of an extreme hardship. The factors which ecology may consider in determining whether an owner or operator has special economic circumstances and in setting the extreme hardship fee include: Annual sales; labor force size; market conditions which affect the owner's or operator's ability to pass the cost of the registration fee through to customers; and average annual profits. In no case will a registration fee be reduced below two hundred fifty dollars.

(7) Fee payments. Fees specified in this section shall be paid within thirty days of receipt of ecology billing statement. All fees collected under this regulation shall be made payable to the Washington department of ecology.

(8) Dedicated account. All registration fees collected by ecology shall be deposited in the air pollution control account.

(9) Tracking revenues, time, and expenditures. Ecology shall track revenues collected under this subsection on a source-specific basis. Ecology shall track time and expenditures on the basis of ecology budget functions.

AMENDATORY SECTION (Amending Order 93-03, filed 8/20/93, effective 9/20/93)

WAC 173-400-171 Public involvement. (1) **Applicability.** Ecology or the authority shall provide public notice prior to the approval or denial of any of the following types of applications or other actions:

(a) Notice of construction application for any new or modified source or emissions unit, if a significant net increase in emissions of any pollutant regulated by state or federal law would result; or

(b) Any application or other proposed action for which a public hearing is required by PSD rules; or

(c) Any order to determine RACT; or

(d) An order to establish a compliance schedule or a variance; or

(e) The establishment or disestablishment of a nonattainment area, or the changing of the boundaries thereof; or

(f) An order to demonstrate the creditable height of a stack which exceeds the GEP formula height and sixty-five meters, by means of a fluid model or a field study, for the purposes of establishing an emission limitation; or

(g) An order to authorize a bubble; or

(h) Notice of construction application or regulatory order used to establish a creditable emission reduction;

(i) An order issued under WAC (~~(173-400-090)~~) 173-400-091 which establishes limitations on a source's potential to emit; or

(j) Any application or other proposed action made pursuant to this chapter in which there is a substantial public interest according to the discretion of ecology or the authority.

(2) **Public notice.** Public notice shall be made only after all information required by ecology or the authority has been submitted and after applicable preliminary determinations, if any, have been made. The cost of providing public notice shall be borne by the applicant or other initiator of the action. Public notice shall include:

(a) Availability for public inspection in at least one location near the proposed project, of the nonproprietary information submitted by the applicant and of any applicable preliminary determinations, including analyses of the effect(s) on air quality.

(b) Publication in a newspaper of general circulation in the area of the proposed project of notice:

(i) Giving a brief description of the proposal;

(ii) Advising of the location of the documents made available for public inspection;

(iii) Advising of a thirty-day period for submitting written comment to ecology or the authority;

(iv) Advising that a public hearing may be held if ecology or the authority determines within a thirty-day period that significant public interest exists.

(c) A copy of the notice will be sent to the EPA regional administrator.

Public participation procedures for notice of construction applications that are processed in coordination with an

application to issue or modify an operating permit shall be conducted as provided in the state operating permit rule.

(3) **Public comment.** No final decision on any application or action of any of the types described in subsection (1) of this section, shall be made until the public comment period has ended and any comments received have been considered. Unless a public hearing is held, the public comment period shall be the thirty-day period for written comment published as provided above. If a public hearing is held the public comment period shall extend through the hearing date and thereafter for such period, if any, as the notice of public hearing may specify.

(4) **Public hearings.** The applicant, any interested governmental entity, any group or any person may request a public hearing within the thirty-day period published as above. Any such request shall indicate the interest of the entity filing it and why a hearing is warranted. Ecology or the authority may, in its discretion, hold a public hearing if it determines significant public interest exists. Any such hearing shall be held upon such notice and at a time(s) and place(s) as ecology or the authority deems reasonable.

(5) **Other requirements of law.** Whenever procedures permitted or mandated by law will accomplish the objectives of public notice and opportunity for comment, such procedures may be used in lieu of the provisions of this section.

(6) **Public information.** Copies of notices of construction, orders, and modifications thereof which are issued hereunder shall be available for public inspection on request at ecology or the authority.

WSR 95-01-106
PROPOSED RULES
DEPARTMENT OF HEALTH
[Filed December 21, 1994, 8:45 a.m.]

Original Notice.

Title of Rule: WAC 246-843-010(7) General definitions, 246-843-090 Preexamination requirements, 246-843-205 Standards of conduct, 246-843-240 Restoration and reinstatement of licenses, and 246-843-320 Renewal of licenses.

Purpose: To clarify existing rules, comply with legislation and allow a waiver of the AIT program.

Statutory Authority for Adoption: RCW 18.52.061.

Statute Being Implemented: Chapter 18.52 RCW.

Summary: To update nursing home administrator rules.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Karen S. Burgess, 1300 S.E. Quince, Box 47869, 664-3245.

Name of Proponent: Board of Nursing Home Administrators, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 246-843-010(7), add the word Washington in the last sentence before the word licensed; WAC 246-843-090, add a subsection (d) under subsection (4) to add language regarding a waiver of the administrator-in-training program and reformat the rule for better flow and understanding of board intent; WAC 246-843-205, add an "s" at the end of the word administrator located in the second line;

WAC 246-843-240, repeal this rule, the board will utilize RCW 18.130.150 for all reinstatements; and WAC 246-843-320, remove the language "within thirty days of license expiration date." The law was changed in 1992, deleting this clause, and this rule was overlooked when amendments were made.

Proposal Changes the Following Existing Rules: WAC 246-843-090, adds language allowing for a waiver of the administrator-in-training (AIT) program.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. The Department of Social and Health Services surveyed the nursing homes in the state and found that 8 out of 304 were considered small business. This equals .03%.

A small business economic impact analysis was sent out to: The Board of Nursing Home Administrators mailing list - 38; Potential Nursing Home Administrator Applicants - 47; and Licensed Nursing Home Administrators Statewide - 45.

The survey asked if the proposed rule amendments would increase the cost of providing services to residents, increase the report or record-keeping requirements, or result in a loss of sales of revenue.

Twenty-three, or 18%, surveys were returned. There was no impact indicated.

Hearing Location: Sea Mar, 1040 South Henderson, Seattle, WA 98108, (206) 763-5210, on February 17, 1995, at 9:15 a.m.

Assistance for Persons with Disabilities: Contact Karen Burgess at (206) 664-3245 by January 31, 1995, TDD (206) 664-0064, or 1-800-525-0127.

Submit Written Comments to: Karen Burgess, 1300 S.E. Quince Street, P.O. Box 47869, Olympia, WA 98504-7869, by February 13, 1995.

Date of Intended Adoption: March 22, 1995.

December 12, 1994

Karen S. Burgess
Program Manager

AMENDATORY SECTION (Amending Order 371B, filed 6/3/93, effective 7/4/93)

WAC 246-843-010 General definitions. Whenever used in these rules and regulations, unless expressly otherwise stated, or unless the context or subject matter requires a different meaning, the following terms shall have the following meanings:

(1) "Nursing home administrator-in-training" means an individual registered as such with the board, under and pursuant to these rules and regulations.

(2) "Person" or "individual" means an individual and does not include the terms firm, institution, public body, joint stock association or any other group of individuals.

(3) "Secretary" means the secretary of the department of health or the secretary's designee.

(4) "Active administrative charge" is the ongoing direct participation in the operating concerns of a nursing home. Operating concerns shall include, but not be limited to, interaction with staff and residents, liaison with the community, liaison with regulatory agencies, pertinent business and financial responsibilities, planning and other activities as identified in the most current role delineation study of the National Association of Boards of Examiners for Nursing

Home Administrators. The role delineation study is available from National Association of Boards of Examiners for Nursing Home Administrators, 808 17th Street NW #200, Washington, DC 20006.

(5) "On-site, full-time administrator" shall be defined as an individual in active administrative charge at the premises of only one nursing home facility, a minimum of four days and an average of forty hours per week, except: "On-site, full-time administrator with small resident populations," or in "rural areas," shall be defined as an individual in active administrative charge at the premises of only one nursing home facility:

(a) A minimum of four days and an average of twenty hours per week at facilities with one to thirty beds; or

(b) A minimum of four days and an average of thirty hours per week at facilities with thirty-one to forty-nine beds.

(6) "Collocated facilities" means that more than one licensed nursing facility is situated on a single contiguous piece of property, intersecting streets or roads allowing pedestrian crossing notwithstanding.

(7) "Nursing homes temporarily without an administrator." Upon the administrator's position becoming vacant, a nursing home may operate up to two continuous weeks under a responsible person authorized to act as administrator designee. Such person shall be qualified by experience to assume delegated duties. The nursing home shall have a written agreement with a Washington licensed administrator who shall be available to consult with such person.

AMENDATORY SECTION (Amending WSR 93-23-034, filed 11/10/93, effective 12/11/93)

WAC 246-843-090 Preexamination requirements.

No person shall be admitted to or permitted to take an examination for licensure as a nursing home administrator without having first submitted evidence satisfactory to the board that the applicant meets the following requirements:

(1) All applicants shall be at least twenty-one years of age, and in addition, shall otherwise meet the requirements of suitability and character set forth in WAC 246-843-200.

(2) All applicants shall complete an application for licensure provided by the division of health professions quality assurance, department of health, and shall include all information requested in said application.

(3) All applicants shall submit documentation demonstrating that they meet the minimum requirements set forth in RCW 18.52.071.

(4) Applicants not having completed at least a one thousand hour practical experience requirement in a nursing home(;;) included in a degree program from a recognized educational institution, shall undertake and complete the following:

(a) A one thousand five hundred hour administrator-in-training program in a nursing home for individuals who have no experience in health care;

(b) A one thousand hour administrator-in-training program in a nursing home for individuals with a minimum of two years experience as a department manager in a health care facility with supervisory and budgetary responsibility; or

(c) A five hundred hour administrator-in-training program in a nursing home for individuals with a minimum of two years experience in the last five years with supervisory and budgetary responsibility in one of the following positions or their equivalent:

Hospital (~~administration~~) administrator;

Assistant administrator in a hospital or large health care facility;

Director of a hospital based skilled nursing facility;

Director of a subacute or transitional care unit;

Director of the department of nursing;

Health care consultant to the long term care industry;

Director of community-based long term care service; or

~~((Those individuals serving in two separate positions for a minimum of one year in each position may also submit an application for consideration. Such a))~~ (d) No administrator-in-training program is required for individuals with a minimum of five years experience in the last seven years with extensive supervisory and budgetary responsibility in one of the following positions or their equivalent:

Hospital administrator;

Assistant administrator in a hospital or large health care facility or agency;

Director of a hospital based skilled nursing facility;

Director of a subacute or transitional care unit; or

An individual who worked as a licensed nursing home administrator for a minimum of five years, in the past ten years, and whose license did not expire more than three years prior to application date.

(5) The AIT program, if required, shall include(;;) without limitations, the following:

(a) The program shall be under the guidance and supervision of a (~~licensed nursing home administrator, as~~) qualified preceptor, and shall be conducted for a period of one thousand five hundred hours, one thousand hours, or five hundred hours;

(b) The program shall be designed to provide for individual learning experiences and instruction based upon the person's academic backgrounds, training, and experience;

(c) The prospectus for the program shall be signed by the preceptor, submitted and approved by the board prior to its commencement. Any changes in the program shall be immediately reported in writing to the board, and the board may withdraw the approval given, or alter the conditions under which approval was given, if the board finds that the program as originally submitted and approved has not been or is not being followed;

(d) The program shall include the following components:

(i) A minimum of ninety percent of the required administrator-in-training hours are spent in a planned systematic rotation through each department of a resident occupied nursing home;

(ii) Planned reading and writing assignments;

(iii) Project assignment including at least one problem-solving assignment to be submitted in writing to the board or a designated board member. Problem-solving project should indicate the definition of an acknowledged problem, the method of approach to the problem such as data gathering, the listing of possible alternatives, the conclusions, and final recommendations to improve the facility or procedure(;;);

(iv) Other planned learning experiences including acquisition of knowledge about other health and welfare agencies in the community; and

(v) A quarterly written report to the board by the applicant including a detailed outline of activities and learning experiences of the reporting period.

(e) The program shall provide for a broad range of experience with a close working relationship between preceptor and trainee. Toward that end, as a general rule, no program shall be approved which would result in an individual preceptor supervising more than two trainees, or if the facility in which the program is to be implemented has a capacity of fewer than 50 beds. Exceptions to this general rule may be granted by the board in unusual circumstances.

AMENDATORY SECTION (Amending Order 371B, filed 6/3/93, effective 7/4/93)

WAC 246-843-205 Standards of conduct. Licensed nursing home administrators shall be in active administrative charge of the nursing home in which they have consented to serve as administrator.

AMENDATORY SECTION (Amending Order 217B, filed 11/27/91, effective 12/28/91)

WAC 246-843-320 Renewal of licenses. New or initial nursing home administrator licenses shall expire on the applicant's next birth anniversary date. Licensees may then annually renew their license from birth anniversary date to the next birth anniversary date. ~~((Licensees who fail to pay the renewal fee within thirty days of license expiration date shall be subject to the late penalty fee.))~~

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-843-240 Restoration and reinstatement of licenses.

WSR 95-01-113

PROPOSED RULES

EMPLOYMENT SECURITY DEPARTMENT

[Filed December 21, 1994, 11:10 a.m.]

Original Notice.

Title of Rule: Family independence program, employment training, and education rules.

Purpose: To eliminate the rules in order to conform with current law.

Other Identifying Information: WAC 192-42-005, 192-42-010, 192-42-021, 192-42-030, 192-42-056, 192-42-057, 192-42-058, and 192-42-081.

Statutory Authority for Adoption: RCW 50.12.010 and 50.12.040.

Summary: Repealer.

Reasons Supporting Proposal: The statutory authority has expired and the program is no longer in effect.

Name of Agency Personnel Responsible for Drafting: Chris Webster, P.O. Box 9046, Olympia, (206) 438-4140;

Implementation and Enforcement: Larry Malo, P.O. Box 9046, Olympia, (206) 438-4611.

Name of Proponent: Employment Security Department, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Repealer of family independence program, employment, training, and education rules.

Proposal Changes the Following Existing Rules: Repeals all program rules.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. This repealer has no impact on small business.

Hearing Location: Employment Security Department, OIS Conference Room, 2nd Floor, 605 Woodland Square Loop S.E., Lacey, WA, on January 26, 1995, at 2:00 p.m.

Assistance for Persons with Disabilities: Contact Affirmative Action by January 10, 1995, TDD (206) 753-5198.

Submit Written Comments to: John Nemes, Rules Coordinator, P.O. Box 9046, Olympia, WA 98507-9046, FAX (206) 438-3226, by January 26, 1995.

Date of Intended Adoption: February 10, 1995.

December 21, 1994

Wendy Holden

Deputy Commissioner

WSR 95-01-116
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed December 21, 1994, 11:17 a.m.]

Original Notice.

Title of Rule: WAC 296-17-913(1) Qualifications for employer participation in a retrospective rating plan, 296-17-914 Retrospective rating formula, 296-17-915 Evaluation of incurred losses dividend and retrospective rating plans, 296-17-919 Table I Retrospective rating plans A, A1, A2, A3 and B, 296-17-91901 Table II Retrospective rating plan A, 296-17-91902 Table III Retrospective rating plan B, 296-17-91903 Table IV Retrospective rating plan A1, 296-17-91904 Table V Retrospective rating plan A2, and 296-17-91905 Table VI Retrospective rating plan A3.

Purpose: The purpose of these changes is to include interest in the calculation of retrospective premium adjustments; realign the premium size groupings to achieve more equitable treatment of participants of different premium sizes; cap claim cost for any one claim or group of claims arising from a single accident at a maximum of \$500,000; and eliminate confusion and clearly state that there are two mandatory adjustments for each retrospective rating coverage year.

Statutory Authority for Adoption: RCW 51.04.020(1). Statute Being Implemented: RCW 51.16.035.

Summary: This packet proposes changes to some of the administrative codes governing the administration of the retrospective rating program. The goals of these changes are to: Include interest in the calculation of retrospective

premium adjustments; realign the premium size groupings to achieve more equitable treatment of participants of different premium sizes; cap claim costs for any one claim or group of claims arising from a single accident at a maximum of \$500,000; and eliminate confusion and clearly state that there are two mandatory adjustments between valuation dates.

Reasons Supporting Proposal: Equity between retrospective rating participants and nonparticipants is not being achieved because the department does not return unused premiums to participants with interest. Within retrospective rating, equity is not being achieved between participants in different plans and between participants in different premium size groupings. Retrospective rating participants are not sufficiently protected against the catastrophic effect of unusually expensive accidents. Language in the current WAC regarding adjustments between valuation dates is not applicable and often leads to time consuming litigations.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kathryn Kimbel, Tumwater, 956-4835.

Name of Proponent: Washington State Department of Labor and Industries, governmental.

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

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

Proposal Changes the Following Existing Rules: See above.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? Yes. A copy of the statement may be obtained by writing to: Kathryn Kimbel, Program Manager, Retrospective Rating, P.O. Box 44180, Olympia, WA 98504-4180, phone (206) 956-4835, or FAX (206) 956-6706.

Hearing Location: Auditorium, Labor and Industries Building, 7273 Linderson Way S.W., Tumwater, WA, on January 30, 1995, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Vicky Schiantarelli by January 16, 1995, TDD (206) 956-5620.

Submit Written Comments to: Retrospective Rating Program Manager, FAX (206) 956-6706, by February 2, 1995.

Date of Intended Adoption: March 1, 1995.

December 21, 1994

Mark O. Brown

Director

AMENDATORY SECTION (Amending WSR 91-24-053, filed 11/27/91, effective 1/1/92)

WAC 296-17-904 Definitions. The definitions in this section shall apply throughout WAC 296-17-905 through 296-17-91902.

(1) "Coverage period" means a one-year period beginning the first day of either January, April, July, or October.

(2) "Group" means those members of an association who have elected to have a group dividend and/or retrospective premium calculated based on the combined premium and incurred loss data of the participants, and have satisfactorily complied with eligibility requirements for doing so.

(3) "Premium" means only that portion of the money collected from an employer for worker's compensation (not

to include any money paid in penalties or security deposits), which is deposited in the accident fund and the medical aid fund.

(4) "Standard premium" for a particular coverage period means premium collected or due for insurance coverage provided during the period, prior to any adjustments under a dividend or retrospective rating plan.

(5) "Incurred losses" for a coverage period means the estimated ultimate cost to the accident fund and medical aid fund of claims arising from incidents occurring during the coverage period, subject to the special evaluation methods prescribed in WAC 296-17-915.

(6) "Loss development factor" means an actuarially determined factor which is multiplied times individual case basis estimates of claim costs to produce incurred losses for a firm or group of firms during a coverage period. Loss development factors allow for reopenings, aggravations, and any other individually unpredictable contingencies which may affect claim costs based on past experience of the accident fund and medical aid fund as a whole.

(7) "Loss ratio" means incurred losses divided by standard premium.

(8) "Dividend" is a partial refund of standard premium based on a firm's standard premium and loss ratio.

(9) "Retrospective premium" is a premium determined after a coverage period has ended, based on a firm's standard premium, incurred losses, and other preselected parameters for the coverage period.

(10) "Retrospective premium adjustment" is an additional assessment or refund of premium owing to an employer's retrospective premium as of a given evaluation date being more or less than the premium previously paid for the coverage period. Additional assessments of premium will be deposited entirely in the accident fund and refunds will be paid entirely from the accident fund.

(11) "Performance adjustment factor" means an actuarially determined factor which is multiplied times incurred losses prior to application of the retrospective rating formula (~~(, to produce "adjusted incurred losses.")~~). This adjustment will produce ~~((net retrospective premium credits for employers and employer groups participating in the retrospective rating program when they have combined experience which is more favorable than other state fund experience. Conversely, this adjustment will produce net retrospective premium penalties for employers and employer groups participating in the retrospective rating program when their combined experience is more adverse than other state fund experience))~~ an overall net refund or additional assessment for retrospective rating participants, collectively, which is based on the experience of the retrospective rating program as a whole. The purpose of the performance adjustment factor is to retain a consistent economic incentive for ~~((those))~~ participating employers to improve their accident cost experience while participating in these plans.

AMENDATORY SECTION (Amending Order 87-17, filed 5/29/87)

WAC 296-17-913 Qualifications for employer participation in a retrospective rating plan. The department may enroll interested employers in a retrospective

PROPOSED

rating plan as a means of insuring their workers' compensation obligations provided the following conditions are met:

(1) The employer submits to the department no later than the 15th day of the month preceding the start of the coverage period a satisfactorily completed retrospective rating plan agreement for each employer account to be enrolled.

(2) The employer has an industrial insurance account in good standing with the department such that at the time the agreement is processed no outstanding premium, penalties or assessments are due and quarterly reporting of payroll has been made in accordance with WAC 296-17-310.

(3) The employer may be required to post a surety bond or other security deposit separate from the cash deposit required for establishing an industrial insurance account with the department:

(a) The employer's surety bond must be on the prescribed forms authorized by the department;

(b) The employer's surety bond shall be secured in one thousand dollar increments provided further that if the estimated maximum premium falls within two increment ranges, a surety bond at the higher level increment shall be obtained;

(c) The employer's surety bond shall remain in full force and effect for the period required retrospective premium calculations are made.

Such surety bond or security deposit would be sufficient to cover the difference between the employer's estimated standard premium and the maximum premium due under the retrospective rating plan. Past reporting data and current rate levels will be used to determine the estimated standard premium and maximum percentage retrospective premium due under the plan.

(4) The employer maintains any existing retrospective rating account in good standing with the department with no outstanding additional premium assessments or interest therein due at the time the agreement is processed. The department may at its discretion, determine that an employer is in good standing if the employer and the department agree upon a payment schedule or other arrangements satisfactory to the department for payment of additional premium assessments or interest due. Said payment schedule or other established satisfactory arrangements shall be made prior to the time the agreement is processed.

Final determination as to the employer's eligibility under this section and financial ability to assume the responsibilities under the retrospective rating plan rests with the department subject to review under chapter 51.52 RCW.

AMENDATORY SECTION (Amending Order 88-26, filed 12/1/88, effective 1/1/89)

WAC 296-17-914 Retrospective rating formula. Employers who elect to have their premium adjusted under a retrospective rating plan must submit an application on a form provided by the department. This application must be received by the department no later than the 15th day of the month preceding the start of the coverage period. The employer must preselect a "maximum premium ratio" and either Plan A, A1, A2, A3, or B.

The employer's retrospective premium shall be calculated from the formula:

$$\text{Retrospective Premium} = \frac{\text{Basic Premium Ratio} \times \text{Standard Premium}}{\text{Loss Conversion Factor} \times \text{Adjusted Incurred Losses}}$$

In the above formula, the basic premium ratio and loss conversion factor are taken from Plan A (WAC 296-17-91901) or Plan B (WAC 296-17-91902) or Plan A1 (WAC 296-17-91903) or Plan A2 (WAC 296-17-91904) or Plan A3 (WAC 296-17-91905) based on the employer's standard premium and preselected maximum premium ratio. Adjusted incurred losses equal incurred losses times the performance adjustment factor applicable to the coverage period. ~~(When the aggregate experience of retrospectively rated accounts is superior to other state fund experience, the performance adjustment factor will not exceed 1.00.)~~ The performance adjustment factor for each coverage period shall be calculated independently of results for previous coverage periods. Evaluation of incurred losses will be done according to the methods prescribed in WAC 296-17-915.

The maximum retrospective premium is the product of the maximum premium ratio times the employer's standard premium. In the event that the retrospective premium formula produces a value greater than the maximum premium, the retrospective premium shall be reduced to the maximum premium.

Under Plans A1, A2, and A3, the minimum retrospective premium is the product of the minimum premium ratio times the employer's standard premium. If the retrospective premium formula produces a value less than the minimum premium, the retrospective premium shall be increased to the minimum premium.

Under Plan A, a firm may elect to forego the protection of a maximum premium ratio if its financial condition is sufficiently strong and stable so that it could qualify as a self-insurer under the department's guidelines for certification of self-insurers. The basic premium ratio effective January 1, 1989, will be .058 if the firm selects and qualifies for an unlimited maximum premium.

AMENDATORY SECTION (Amending Order 88-26, filed 12/1/88, effective 1/1/89)

WAC 296-17-915 Evaluation of incurred losses dividend and retrospective rating plans. The initial evaluation date for each claim arising from incidents occurring during the coverage period shall be approximately twelve months following the end of the coverage period. Each subsequent annual incurred loss evaluation under the retrospective rating plan shall be approximately twelve months following the preceding evaluation date.

The estimated cost of each claim shall include all payments made as of the valuation date and may also include a reserve for future payments ~~(consistent with the following evaluation methods applicable to experience rating: (1) Retroactive adjustments—revision of losses between valuation dates~~

~~No claim value shall be revised between valuation dates and no retroactive adjustment of a retrospective premium~~

adjustment shall be made because of disputation concerning the judgment of the claims examiner or because of subsequent developments except as specifically provided in the following cases:

- (a) In cases where incurred loss values are included or excluded through mistake other than error of judgment;
- (b) In cases where a third party recovery is made;
- (c) In cases where the claim qualifies as a second injury claim under the provisions of RCW 51.16.120.

(2) Third party recovery

In the event of a third party recovery on a claim, the employer shall be charged for a portion of the actual loss amount, gross of such recovery, established on the claim. This portion shall be calculated at the time the recovery is made, and shall be determined by taking the ratio of the total cost of the claim, including attorneys' fees, after recovery, to the total cost of the claim before recovery. If the claim is open at the time the recovery is made, then costs before and after recovery may include an allowance for future claim payments.

(3) Second injury claims

The value of any claim which becomes eligible for second injury relief under the provisions of RCW 51.16.120, as now or hereafter amended, shall be reduced by the percentage of relief granted.

The incurred losses for each employer shall be determined by multiplying the individual claim cost estimates by loss development factors, and adding the resulting developed losses for all the employer's claims. The following special procedures will be used for making individual claim cost estimates:

Fatal claims - retrospective rating plan

Each fatal claim shall include all payments made as of the valuation date and a pension reserve, if any, based on the annuity value at the time the pension is awarded. Pension costs will not be reevaluated based on events after the pension has been awarded.

Fatal claims - dividend plan

Each fatal claim shall be assigned the "average death value," said value to be the average incurred cost for all fatal claims occurring during the coverage period.

Permanent total claims

Pension costs for permanent total injuries will be based on the annuity value at the time that the pension is awarded. Pension costs will not be reevaluated based on events after the pension has been awarded.

Occupational disease claims

The cost of any occupational disease claim paid and arising from exposure to the disease hazard under two or more employers, shall be prorated to each period of employment. Each employer's share of the claim cost shall be assigned to the coverage period during which the employer last employed the claimant under conditions of injurious exposure, provided the employer's share is at least ten percent of the total claim cost. The claim cost for any one claim or group of claims arising from a single accident shall be limited to a maximum of \$500,000.

AMENDATORY SECTION (Amending WSR 94-24-007, filed 11/28/94, effective 1/1/95)

WAC 296-17-919 Table I.

RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B
STANDARD PREMIUM SIZE RANGES
Effective ((January 1) April 10, 1995

Size Group Number	Standard Premium Range	
(84	\$ 4,089	\$ 4,717
83	4,718	5,416
82	5,417	6,190
81	6,191	7,048
80	7,049	7,997
79	7,998	9,042
78	9,043	10,191
77	10,192	11,456
76	11,457	12,844
75	12,845	14,363
74	14,364	16,024
73	16,025	17,837
72	17,838	19,814
71	19,815	21,969
70	21,970	24,312
69	24,313	26,859
68	26,860	27,598
67	27,599	29,150
66	29,151	30,813
65	30,814	32,600
64	32,601	34,521
63	34,522	36,586
62	36,587	38,814
61	38,815	41,216
60	41,217	43,811
59	43,812	46,618
58	46,619	49,657
57	49,658	52,953
56	52,954	56,533
55	56,534	60,428
54	60,429	64,669
53	64,670	69,297
52	69,298	74,355
51	74,356	79,892
50	79,893	85,965
49	85,966	92,638
48	92,639	99,986
47	99,987	108,091
46	108,092	117,051
45	117,052	126,980
44	126,981	134,155
43	134,156	142,978
42	142,979	152,615
41	152,616	163,160
40	163,161	174,724
39	174,725	187,435
38	187,436	201,445
37	201,446	216,924
36	216,925	234,074
35	234,075	253,127

PROPOSED

PROPOSED

34	253,128	274,366	31	<u>147,798</u>	-	<u>161,403</u>
33	274,367	298,111	30	<u>161,404</u>	-	<u>176,843</u>
32	298,112	324,753	29	<u>176,844</u>	-	<u>194,440</u>
31	324,754	354,754	28	<u>194,441</u>	-	<u>214,344</u>
30	354,755	388,671	27	<u>214,345</u>	-	<u>237,250</u>
29	388,672	427,173	26	<u>237,251</u>	-	<u>263,747</u>
28	427,174	471,075	25	<u>263,748</u>	-	<u>294,154</u>
27	471,076	521,377	24	<u>294,155</u>	-	<u>329,753</u>
26	521,378	579,308	23	<u>329,754</u>	-	<u>371,713</u>
25	579,309	646,392	22	<u>371,714</u>	-	<u>420,756</u>
24	646,393	724,546	21	<u>420,757</u>	-	<u>479,459</u>
23	724,547	816,192	20	<u>479,460</u>	-	<u>550,343</u>
22	816,193	924,423	19	<u>550,344</u>	-	<u>635,211</u>
21	924,424	1,053,235	18	<u>635,212</u>	-	<u>739,820</u>
20	1,053,236	1,207,852	17	<u>739,821</u>	-	<u>870,308</u>
19	1,207,853	1,395,191	16	<u>870,309</u>	-	<u>1,031,766</u>
18	1,395,192	1,624,558	15	<u>1,031,767</u>	-	<u>1,391,785</u>
17	1,624,559	1,908,651	14	<u>1,391,786</u>	-	<u>1,895,123</u>
16	1,908,652	2,124,267	13	<u>1,895,124</u>	-	<u>2,297,512</u>
15	2,124,268	2,370,275	12	<u>2,297,513</u>	-	<u>2,778,867</u>
14	2,370,276	2,645,210	11	<u>2,778,868</u>	-	<u>3,510,061</u>
13	2,645,211	3,085,165	10	<u>3,510,062</u>	-	<u>5,045,595</u>
12	3,085,166	3,627,724	9	<u>5,045,596</u>	-	<u>7,405,056</u>
11	3,627,725	4,759,430	8	<u>7,405,057</u>	-	<u>10,528,520</u>
10	4,759,431	6,495,500	7	<u>10,528,521</u>	-	<u>15,512,942</u>
9	6,495,501	8,459,314	6	<u>15,512,943</u>	-	<u>24,127,195</u>
8	8,459,315	11,428,175	5	<u>24,127,196</u>	-	<u>& Over</u>
7	11,428,176	16,102,964				
6	16,102,965	24,127,195				
5	24,127,196	& Over))				
63	\$ 4,000	-		\$ 4,834		
62	4,835	-		5,803		
61	5,804	-		6,905		
60	6,906	-		8,171		
59	8,172	-		9,617		
58	9,618	-		11,245		
57	11,246	-		13,097		
56	13,098	-		15,194		
55	15,195	-		17,535		
54	17,536	-		20,173		
53	20,174	-		23,141		
52	23,142	-		26,435		
51	26,436	-		27,857		
50	27,858	-		29,982		
49	29,983	-		32,302		
48	32,303	-		34,865		
47	34,866	-		37,700		
46	37,701	-		40,816		
45	40,817	-		44,279		
44	44,280	-		48,138		
43	48,139	-		52,404		
42	52,405	-		57,182		
41	57,183	-		62,549		
40	62,550	-		68,526		
39	68,527	-		75,278		
38	75,279	-		82,929		
37	82,930	-		91,526		
36	91,527	-		101,337		
35	101,338	-		112,571		
34	112,572	-		125,325		
33	125,326	-		135,626		
32	135,627	-		147,797		

AMENDATORY SECTION (Amending Order 88-26, filed 12/1/88, effective 1/1/89)

WAC 296-17-91901 Table II.

RETROSPECTIVE RATING PLAN A
 BASIC PREMIUM RATIOS
 LOSS CONVERSION FACTOR = .729
 Effective ((January 1, 1989)) April 10, 1995

Maximum Premium Ratio: 1.05 1.10 1.15 1.20 1.25 1.30 1.35 1.40 1.45 1.50 1.60 1.70 1.80 2.00

Size Group

(84	.976	.957	.941	.929	.918	.908	.900	.892	.886	.879	.867	.857	.847	.828
83	.973	.953	.937	.923	.912	.902	.893	.885	.878	.871	.858	.847	.836	.817
82	.971	.949	.932	.917	.905	.895	.886	.877	.870	.862	.849	.838	.826	.806
81	.968	.945	.927	.912	.899	.888	.878	.870	.862	.854	.840	.828	.816	.795
80	.966	.941	.921	.906	.893	.881	.871	.862	.853	.846	.831	.818	.806	.783
79	.963	.937	.916	.900	.886	.874	.863	.854	.845	.837	.822	.808	.795	.771
78	.960	.933	.912	.894	.880	.867	.856	.846	.836	.828	.812	.798	.784	.759
77	.958	.929	.907	.889	.874	.860	.849	.838	.828	.819	.802	.787	.773	.746
76	.956	.925	.902	.883	.867	.853	.841	.829	.819	.810	.792	.776	.761	.734
75	.953	.921	.896	.876	.860	.845	.832	.821	.810	.800	.782	.766	.750	.722
74	.950	.916	.891	.870	.853	.838	.825	.812	.801	.791	.772	.754	.738	.709
73	.947	.912	.885	.864	.846	.830	.816	.804	.792	.781	.762	.743	.727	.696
72	.943	.907	.880	.858	.839	.823	.808	.795	.783	.772	.751	.732	.715	.682
71	.940	.902	.874	.851	.832	.815	.800	.786	.774	.762	.740	.721	.702	.669
70	.937	.897	.868	.844	.824	.807	.791	.777	.764	.752	.730	.709	.690	.656
69	.933	.892	.862	.837	.817	.799	.783	.768	.754	.742	.719	.698	.678	.643
68	.929	.886	.855	.830	.808	.790	.773	.758	.744	.731	.707	.686	.666	.630
67	.925	.880	.848	.822	.800	.781	.764	.748	.734	.721	.696	.674	.654	.618
66	.920	.875	.841	.814	.792	.772	.754	.738	.723	.710	.685	.662	.641	.604
65	.916	.869	.834	.807	.783	.763	.745	.728	.713	.699	.673	.649	.628	.590
64	.911	.863	.827	.799	.775	.754	.735	.718	.702	.688	.661	.637	.615	.576))
63	.907	.856	.820	.791	.766	.745	.725	.708	.692	.677	.649	.625	.602	.563
62	.902	.850	.813	.783	.757	.735	.715	.698	.681	.666	.638	.612	.590	.550
61	.897	.844	.805	.774	.748	.726	.705	.687	.670	.654	.625	.600	.577	.536
60	.892	.838	.798	.766	.739	.716	.695	.676	.658	.642	.613	.587	.563	.522
59	.888	.831	.790	.758	.730	.706	.684	.665	.647	.630	.600	.574	.550	.508
58	.883	.825	.783	.749	.720	.696	.674	.654	.635	.618	.588	.561	.537	.495
57	.878	.818	.775	.740	.711	.686	.663	.643	.624	.607	.576	.548	.524	.482
56	.872	.810	.766	.731	.701	.675	.652	.631	.612	.594	.563	.535	.511	.468
55	.865	.802	.757	.721	.690	.664	.640	.619	.599	.582	.550	.522	.497	.455
54	.858	.794	.747	.710	.679	.652	.628	.607	.587	.569	.537	.509	.484	.442
53	.851	.785	.738	.700	.668	.641	.616	.595	.575	.556	.524	.496	.471	.429
52	.843	.776	.728	.690	.657	.629	.605	.582	.562	.544	.511	.483	.458	.417
51	.836	.767	.718	.679	.646	.618	.592	.570	.550	.531	.498	.470	.446	.405
50	.828	.758	.708	.668	.634	.605	.580	.557	.537	.518	.485	.457	.432	.392
49	.821	.748	.697	.656	.622	.593	.567	.544	.524	.505	.472	.444	.419	.379
48	.813	.739	.686	.645	.610	.581	.555	.531	.511	.492	.459	.431	.406	.367
47	.804	.729	.675	.633	.598	.568	.542	.519	.498	.479	.446	.418	.394	.355
46	.796	.718	.663	.620	.584	.554	.528	.505	.484	.465	.433	.406	.382	.344
45	.787	.707	.650	.607	.571	.541	.514	.491	.471	.452	.420	.394	.371	.334
44	.778	.695	.638	.594	.557	.527	.501	.478	.458	.440	.408	.382	.360	.324
43	.768	.683	.625	.580	.544	.514	.488	.465	.445	.427	.396	.371	.349	.314
42	.758	.671	.612	.567	.530	.500	.474	.451	.431	.413	.383	.357	.336	.301
41	.748	.659	.599	.554	.517	.486	.460	.437	.417	.399	.368	.343	.322	.288
40	.737	.647	.586	.540	.503	.472	.446	.423	.403	.385	.355	.330	.309	.276
39	.726	.635	.573	.526	.489	.458	.432	.409	.389	.372	.342	.317	.296	.264
38	.714	.622	.560	.513	.476	.445	.418	.396	.376	.359	.329	.305	.284	.252
37	.702	.608	.546	.499	.462	.431	.405	.383	.363	.346	.317	.293	.273	.242
36	.688	.594	.532	.485	.448	.417	.392	.369	.350	.333	.304	.281	.262	.231
35	.673	.578	.516	.469	.433	.402	.377	.355	.336	.320	.292	.269	.250	.221
34	.657	.562	.500	.454	.418	.388	.363	.342	.323	.307	.280	.258	.240	.211
33	.640	.546	.484	.439	.403	.374	.349	.329	.310	.295	.268	.247	.229	.202
32	.623	.529	.468	.424	.389	.360	.336	.316	.298	.283	.257	.237	.220	.193
31	.607	.512	.452	.408	.373	.345	.322	.302	.285	.270	.246	.226	.210	.185
30	.589	.495	.435	.392	.358	.331	.308	.289	.273	.259	.235	.216	.201	.178
29	.571	.478	.419	.377	.344	.317	.295	.277	.261	.247	.225	.207	.193	.171
28	.553	.461	.403	.361	.329	.303	.282	.264	.248	.235	.213	.195	.181	.160

PROPOSED

27	.537	.446	.388	.346	.314	.288	.267	.248	.233	.219	.197	.179	.165	.143
26	.521	.430	.373	.331	.299	.273	.252	.234	.218	.205	.183	.165	.151	.129
25	.504	.414	.358	.317	.285	.259	.238	.220	.205	.192	.170	.152	.138	.117
24	.482	.394	.339	.300	.269	.245	.225	.208	.194	.181	.161	.145	.132	.113
23	.460	.374	.321	.283	.254	.231	.213	.197	.184	.172	.153	.138	.127	.109
22	.437	.355	.304	.268	.241	.219	.201	.187	.174	.163	.146	.132	.121	.105
21	.414	.336	.288	.254	.228	.208	.191	.177	.166	.156	.139	.127	.117	.102
20	.394	.318	.272	.239	.214	.194	.179	.166	.155	.145	.130	.119	.110	.096
19	.377	.301	.254	.222	.198	.179	.164	.152	.142	.133	.120	.109	.101	.089
18	.358	.283	.238	.207	.184	.166	.152	.140	.131	.123	.110	.101	.094	.083
17	.339	.266	.222	.192	.171	.154	.140	.130	.121	.114	.103	.094	.088	.079
16	.320	.249	.208	.179	.159	.143	.131	.121	.113	.106	.096	.088	.083	.075
15	.303	.234	.194	.168	.148	.134	.122	.113	.106	.100	.091	.084	.079	.072
14	.293	.220	.180	.157	.141	.128	.117	.109	.103	.097	.089	.082	.078	.071
13	.281	.204	.167	.148	.133	.122	.112	.105	.099	.094	.086	.081	.076	.070
12	.269	.187	.156	.139	.126	.116	.108	.101	.096	.091	.084	.079	.075	.069
11	.254	.167	.145	.130	.119	.110	.103	.097	.092	.088	.082	.077	.073	.068
10	.238	.150	.135	.122	.113	.105	.098	.093	.089	.085	.079	.075	.072	.067
9	.219	.138	.125	.115	.106	.100	.094	.089	.085	.082	.077	.073	.071	.066
8	.197	.127	.116	.107	.100	.094	.090	.086	.082	.079	.075	.072	.069	.065
7	.170	.117	.108	.100	.094	.089	.085	.082	.079	.077	.073	.070	.068	.064
6	.137	.107	.100	.094	.089	.085	.081	.078	.076	.074	.071	.068	.066	.064
5	.105	.098	.092	.087	.083	.080	.077	.075	.073	.071	.068	.066	.065	.063

AMENDATORY SECTION (Amending Order 88-26, filed 12/1/88, effective 1/1/89)

WAC 296-17-91902 Table III.

RETROSPECTIVE RATING PLAN B
 BASIC PREMIUM RATIOS
 AND LOSS CONVERSION FACTORS
 Effective ((January 1, 1989)) April 10, 1995

Maximum Premium Ratio: 1.05 1.10 1.15 1.20 1.25 1.30 1.35 1.40 1.45 1.50 1.60 1.70 1.80 2.00

Size Group

((84	Basic Premium Ratio	.999	.997	.996	.994	.993	.991	.990	.988	.987	.985	.982	.979	.976	.970
	Loss Conversion Factor	.001	.003	.004	.006	.007	.009	.010	.012	.013	.015	.018	.021	.024	.030
83	Basic Premium Ratio	.998	.997	.995	.993	.992	.990	.989	.987	.985	.984	.980	.977	.974	.967
	Loss Conversion Factor	.002	.003	.005	.007	.008	.010	.011	.013	.015	.016	.020	.023	.026	.033
82	Basic Premium Ratio	.998	.996	.995	.993	.991	.989	.988	.986	.984	.982	.979	.975	.972	.965
	Loss Conversion Factor	.002	.004	.005	.007	.009	.011	.012	.014	.016	.018	.021	.025	.028	.035
81	Basic Premium Ratio	.998	.996	.994	.992	.990	.989	.987	.985	.983	.981	.977	.973	.969	.962
	Loss Conversion Factor	.002	.004	.006	.008	.010	.011	.013	.015	.017	.019	.023	.027	.031	.038
80	Basic Premium Ratio	.998	.996	.994	.992	.990	.988	.986	.984	.982	.980	.976	.972	.967	.959
	Loss Conversion Factor	.002	.004	.006	.008	.010	.012	.014	.016	.018	.020	.024	.028	.033	.041
79	Basic Premium Ratio	.998	.996	.994	.991	.989	.987	.985	.983	.981	.979	.974	.970	.966	.957
	Loss Conversion Factor	.002	.004	.006	.009	.011	.013	.015	.017	.019	.021	.026	.030	.034	.043
78	Basic Premium Ratio	.998	.995	.993	.991	.988	.986	.984	.981	.979	.977	.972	.967	.963	.953
	Loss Conversion Factor	.002	.005	.007	.009	.012	.014	.016	.019	.021	.023	.028	.033	.037	.047
77	Basic Premium Ratio	.997	.995	.992	.990	.987	.984	.982	.979	.977	.974	.969	.964	.958	.948
	Loss Conversion Factor	.003	.005	.008	.010	.013	.016	.018	.021	.023	.026	.031	.036	.042	.052
76	Basic Premium Ratio	.997	.995	.992	.989	.987	.984	.981	.978	.976	.973	.968	.962	.957	.946
	Loss Conversion Factor	.003	.005	.008	.011	.013	.016	.019	.022	.024	.027	.032	.038	.043	.054
75	Basic Premium Ratio	.997	.994	.992	.989	.986	.983	.981	.978	.975	.972	.967	.961	.956	.945
	Loss Conversion Factor	.003	.006	.008	.011	.014	.017	.019	.022	.025	.028	.033	.039	.044	.055
74	Basic Premium Ratio	.997	.994	.991	.988	.985	.982	.979	.976	.973	.970	.964	.958	.952	.940
	Loss Conversion Factor	.003	.006	.009	.012	.015	.018	.021	.024	.027	.030	.036	.042	.048	.060
73	Basic Premium Ratio	.997	.994	.990	.987	.984	.981	.977	.974	.971	.968	.961	.955	.948	.936
	Loss Conversion Factor	.003	.006	.010	.013	.016	.019	.023	.026	.029	.032	.039	.045	.052	.064
72	Basic Premium Ratio	.996	.993	.989	.986	.982	.979	.975	.972	.968	.965	.957	.950	.943	.929
	Loss Conversion Factor	.004	.007	.011	.014	.018	.021	.025	.028	.032	.035	.043	.050	.057	.071

PROPOSED

71	Basic Premium Ratio	.996	.992	.988	.984	.980	.976	.972	.969	.965	.961	.953	.945	.937	.921
	Loss Conversion Factor	.004	.008	.012	.016	.020	.024	.028	.031	.035	.039	.047	.055	.063	.079
70	Basic Premium Ratio	.996	.991	.987	.983	.978	.974	.970	.965	.961	.957	.948	.939	.931	.913
	Loss Conversion Factor	.004	.009	.013	.017	.022	.026	.030	.035	.039	.043	.052	.061	.069	.087
69	Basic Premium Ratio	.995	.991	.986	.981	.977	.972	.967	.963	.958	.953	.944	.935	.925	.907
	Loss Conversion Factor	.005	.009	.014	.019	.023	.028	.033	.037	.042	.047	.056	.065	.075	.093
68	Basic Premium Ratio	.995	.990	.985	.981	.976	.971	.966	.961	.956	.952	.942	.932	.923	.903
	Loss Conversion Factor	.005	.010	.015	.019	.024	.029	.034	.039	.044	.048	.058	.068	.077	.097
67	Basic Premium Ratio	.995	.990	.985	.980	.975	.970	.965	.959	.954	.949	.939	.929	.919	.899
	Loss Conversion Factor	.005	.010	.015	.020	.025	.030	.035	.041	.046	.051	.061	.071	.081	.101
66	Basic Premium Ratio	.995	.989	.984	.978	.973	.967	.962	.956	.951	.946	.935	.924	.913	.891
	Loss Conversion Factor	.005	.011	.016	.022	.027	.033	.038	.044	.049	.054	.065	.076	.087	.109
65	Basic Premium Ratio	.994	.988	.982	.976	.971	.965	.959	.953	.947	.941	.929	.917	.906	.882
	Loss Conversion Factor	.006	.012	.018	.024	.029	.035	.041	.047	.053	.059	.071	.083	.094	.118
64	Basic Premium Ratio	.994	.987	.981	.974	.968	.962	.955	.949	.942	.936	.923	.910	.898	.872
	Loss Conversion Factor	.006	.013	.019	.026	.032	.038	.045	.051	.058	.064	.077	.090	.102	.128))
63	Basic Premium Ratio	.993	.986	.979	.972	.965	.958	.951	.944	.938	.931	.917	.903	.889	.861
	Loss Conversion Factor	.007	.014	.021	.028	.035	.042	.049	.056	.062	.069	.083	.097	.111	.139
62	Basic Premium Ratio	.992	.985	.977	.970	.962	.954	.947	.939	.931	.924	.909	.893	.878	.848
	Loss Conversion Factor	.008	.015	.023	.030	.038	.046	.053	.061	.069	.076	.091	.107	.122	.152
61	Basic Premium Ratio	.992	.983	.975	.967	.959	.950	.942	.934	.926	.917	.901	.884	.868	.835
	Loss Conversion Factor	.008	.017	.025	.033	.041	.050	.058	.066	.074	.083	.099	.116	.132	.165
60	Basic Premium Ratio	.991	.982	.973	.964	.955	.946	.937	.928	.919	.910	.892	.874	.856	.819
	Loss Conversion Factor	.009	.018	.027	.036	.045	.054	.063	.072	.081	.090	.108	.126	.144	.181
59	Basic Premium Ratio	.990	.980	.971	.961	.951	.941	.931	.921	.912	.902	.882	.862	.843	.803
	Loss Conversion Factor	.010	.020	.029	.039	.049	.059	.069	.079	.088	.098	.118	.138	.157	.197
58	Basic Premium Ratio	.989	.979	.968	.957	.947	.936	.926	.915	.904	.894	.872	.851	.830	.787
	Loss Conversion Factor	.011	.021	.032	.043	.053	.064	.074	.085	.096	.106	.128	.149	.170	.213
57	Basic Premium Ratio	.989	.977	.966	.954	.943	.931	.920	.908	.897	.886	.863	.840	.817	.771
	Loss Conversion Factor	.011	.023	.034	.046	.057	.069	.080	.092	.103	.114	.137	.160	.183	.229
56	Basic Premium Ratio	.988	.976	.963	.951	.939	.927	.914	.902	.890	.878	.853	.829	.805	.756
	Loss Conversion Factor	.012	.024	.037	.049	.061	.073	.086	.098	.110	.122	.147	.171	.195	.244
55	Basic Premium Ratio	.987	.974	.961	.948	.935	.922	.909	.896	.883	.870	.844	.818	.792	.741
	Loss Conversion Factor	.013	.026	.039	.052	.065	.078	.091	.104	.117	.130	.156	.182	.208	.259
54	Basic Premium Ratio	.986	.972	.959	.945	.931	.917	.904	.890	.876	.862	.835	.807	.780	.724
	Loss Conversion Factor	.014	.028	.041	.055	.069	.083	.096	.110	.124	.138	.165	.193	.220	.276
53	Basic Premium Ratio	.985	.971	.956	.941	.927	.912	.898	.883	.868	.854	.824	.795	.766	.707
	Loss Conversion Factor	.015	.029	.044	.059	.073	.088	.102	.117	.132	.146	.176	.205	.234	.293
52	Basic Premium Ratio	.984	.969	.953	.938	.922	.907	.891	.876	.860	.845	.814	.783	.752	.690
	Loss Conversion Factor	.016	.031	.047	.062	.078	.093	.109	.124	.140	.155	.186	.217	.248	.310
51	Basic Premium Ratio	.983	.967	.950	.934	.917	.901	.884	.868	.851	.835	.802	.769	.735	.669
	Loss Conversion Factor	.017	.033	.050	.066	.083	.099	.116	.132	.149	.165	.198	.231	.265	.331
50	Basic Premium Ratio	.982	.965	.947	.929	.911	.894	.876	.858	.841	.823	.787	.752	.717	.646
	Loss Conversion Factor	.018	.035	.053	.071	.089	.106	.124	.142	.159	.177	.213	.248	.283	.354
49	Basic Premium Ratio	.981	.962	.943	.924	.905	.886	.867	.848	.829	.810	.772	.734	.696	.621
	Loss Conversion Factor	.019	.038	.057	.076	.095	.114	.133	.152	.171	.190	.228	.266	.304	.379
48	Basic Premium Ratio	.980	.959	.939	.919	.898	.878	.858	.837	.817	.797	.756	.716	.675	.594
	Loss Conversion Factor	.020	.041	.061	.081	.102	.122	.142	.163	.183	.203	.244	.284	.325	.406
47	Basic Premium Ratio	.978	.957	.935	.913	.891	.870	.848	.826	.805	.783	.740	.696	.653	.566
	Loss Conversion Factor	.022	.043	.065	.087	.109	.130	.152	.174	.195	.217	.260	.304	.347	.434
46	Basic Premium Ratio	.977	.954	.931	.908	.885	.862	.839	.816	.793	.770	.724	.677	.631	.539
	Loss Conversion Factor	.023	.046	.069	.092	.115	.138	.161	.184	.207	.230	.276	.323	.369	.461
45	Basic Premium Ratio	.976	.951	.927	.902	.878	.854	.829	.805	.780	.756	.707	.658	.609	.512
	Loss Conversion Factor	.024	.049	.073	.098	.122	.146	.171	.195	.220	.244	.293	.342	.391	.488
44	Basic Premium Ratio	.974	.948	.922	.897	.871	.845	.819	.793	.767	.742	.690	.638	.587	.483
	Loss Conversion Factor	.026	.052	.078	.103	.129	.155	.181	.207	.233	.258	.310	.362	.413	.517
43	Basic Premium Ratio	.973	.945	.918	.891	.863	.836	.809	.781	.754	.727	.672	.617	.562	.453
	Loss Conversion Factor	.027	.055	.082	.109	.137	.164	.191	.219	.246	.273	.328	.383	.438	.547

PROPOSED

42	Basic Premium Ratio	.970	.941	.911	.881	.852	.822	.792	.763	.733	.703	.644	.585	.525	.406
	Loss Conversion Factor	.030	.059	.089	.119	.148	.178	.208	.237	.267	.297	.356	.415	.475	.594
41	Basic Premium Ratio	.968	.935	.903	.870	.838	.806	.773	.741	.708	.676	.611	.546	.481	.352
	Loss Conversion Factor	.032	.065	.097	.130	.162	.194	.227	.259	.292	.324	.389	.454	.519	.648
40	Basic Premium Ratio	.965	.929	.894	.859	.823	.788	.753	.718	.682	.647	.576	.506	.435	.294
	Loss Conversion Factor	.035	.071	.106	.141	.177	.212	.247	.282	.318	.353	.424	.494	.565	.706
39	Basic Premium Ratio	.962	.923	.885	.847	.808	.770	.732	.693	.655	.616	.540	.463	.386	.233
	Loss Conversion Factor	.038	.077	.115	.153	.192	.230	.268	.307	.345	.384	.460	.537	.614	.767
38	Basic Premium Ratio	.958	.917	.875	.834	.792	.751	.709	.668	.626	.585	.502	.419	.336	.170
	Loss Conversion Factor	.042	.083	.125	.166	.208	.249	.291	.332	.374	.415	.498	.581	.664	.830
37	Basic Premium Ratio	.955	.910	.865	.820	.776	.731	.686	.641	.596	.551	.461	.371	.282	.102
	Loss Conversion Factor	.045	.090	.135	.180	.224	.269	.314	.359	.404	.449	.539	.629	.718	.898
36	Basic Premium Ratio	.951	.903	.854	.806	.757	.709	.660	.612	.563	.514	.417	.320	.223	.029
	Loss Conversion Factor	.049	.097	.146	.194	.243	.291	.340	.388	.437	.486	.583	.680	.777	.971
35	Basic Premium Ratio	.947	.895	.842	.789	.736	.684	.631	.578	.525	.473	.367	.262	.156	.000
	Loss Conversion Factor	.053	.105	.158	.211	.264	.316	.369	.422	.475	.527	.633	.738	.844	.987
34	Basic Premium Ratio	.943	.886	.829	.771	.714	.657	.600	.543	.486	.428	.314	.200	.085	.000
	Loss Conversion Factor	.057	.114	.171	.229	.286	.343	.400	.457	.514	.572	.686	.800	.915	.969
33	Basic Premium Ratio	.938	.876	.814	.752	.690	.628	.567	.505	.443	.381	.257	.133	.009	.000
	Loss Conversion Factor	.062	.124	.186	.248	.310	.372	.433	.495	.557	.619	.743	.867	.991	.953
32	Basic Premium Ratio	.933	.866	.799	.732	.665	.598	.531	.463	.396	.329	.195	.061	.000	.000
	Loss Conversion Factor	.067	.134	.201	.268	.335	.402	.469	.537	.604	.671	.805	.939	.984	.939
31	Basic Premium Ratio	.927	.854	.781	.707	.634	.561	.488	.415	.342	.268	.122	.000	.000	.000
	Loss Conversion Factor	.073	.146	.219	.293	.366	.439	.512	.585	.658	.732	.878	.994	.965	.925
30	Basic Premium Ratio	.920	.840	.760	.680	.600	.520	.440	.360	.280	.200	.040	.000	.000	.000
	Loss Conversion Factor	.080	.160	.240	.320	.400	.480	.560	.640	.720	.800	.960	.975	.949	.913
29	Basic Premium Ratio	.913	.826	.739	.651	.564	.477	.390	.303	.216	.128	.000	.000	.000	.000
	Loss Conversion Factor	.087	.174	.261	.349	.436	.523	.610	.697	.784	.872	.990	.958	.935	.902
28	Basic Premium Ratio	.904	.807	.711	.615	.519	.422	.326	.230	.134	.037	.000	.000	.000	.000
	Loss Conversion Factor	.096	.193	.289	.385	.481	.578	.674	.770	.866	.963	.969	.940	.918	.887
27	Basic Premium Ratio	.892	.785	.677	.570	.462	.355	.247	.140	.032	.000	.000	.000	.000	.000
	Loss Conversion Factor	.108	.215	.323	.430	.538	.645	.753	.860	.968	.983	.946	.918	.897	.868
26	Basic Premium Ratio	.881	.761	.642	.522	.403	.283	.164	.044	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.119	.239	.358	.478	.597	.717	.836	.956	.983	.960	.925	.899	.879	.851
25	Basic Premium Ratio	.868	.736	.604	.472	.340	.208	.075	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.132	.264	.396	.528	.660	.792	.925	.987	.961	.940	.907	.883	.864	.838
24	Basic Premium Ratio	.852	.705	.557	.409	.261	.114	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.148	.295	.443	.591	.739	.886	.992	.964	.941	.922	.893	.872	.855	.832
23	Basic Premium Ratio	.835	.669	.504	.338	.173	.008	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.165	.331	.496	.662	.827	.992	.969	.944	.924	.907	.881	.862	.848	.827
22	Basic Premium Ratio	.814	.628	.442	.256	.070	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.186	.372	.558	.744	.930	.978	.949	.927	.909	.894	.871	.854	.841	.823
21	Basic Premium Ratio	.790	.579	.369	.159	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.210	.421	.631	.841	.990	.957	.932	.912	.896	.882	.862	.847	.835	.818
20	Basic Premium Ratio	.758	.516	.274	.032	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.242	.484	.726	.968	.966	.936	.913	.895	.881	.869	.851	.837	.827	.812
19	Basic Premium Ratio	.720	.439	.159	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.280	.561	.841	.979	.942	.915	.894	.878	.865	.854	.838	.826	.817	.805
18	Basic Premium Ratio	.672	.344	.016	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.328	.656	.984	.954	.920	.896	.877	.863	.851	.842	.827	.817	.810	.799
17	Basic Premium Ratio	.617	.234	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.383	.766	.977	.932	.902	.879	.863	.850	.839	.831	.819	.810	.803	.794
16	Basic Premium Ratio	.550	.100	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.450	.900	.953	.913	.885	.865	.851	.839	.830	.823	.812	.804	.798	.790
15	Basic Premium Ratio	.477	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.523	.992	.932	.896	.872	.854	.841	.831	.822	.816	.806	.799	.794	.788
14	Basic Premium Ratio	.414	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.586	.973	.912	.881	.861	.846	.834	.825	.818	.812	.804	.797	.793	.787

PROPOSED

13	Basic Premium Ratio	.344	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.656	.953	.889	.867	.851	.838	.828	.821	.814	.809	.801	.796	.791
12	Basic Premium Ratio	.256	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.744	.931	.874	.856	.842	.831	.823	.816	.810	.806	.799	.794	.790
11	Basic Premium Ratio	.159	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.841	.906	.860	.846	.834	.825	.818	.812	.807	.803	.796	.792	.788
10	Basic Premium Ratio	((.032))	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
		.042												
	Loss Conversion Factor	((.968))	.879	.848	.836	.827	.819	.813	.807	.803	.800	.794	.790	.787
		.958												
9	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.982	.850	.838	.828	.820	.813	.808	.803	.800	.797	.792	.788	.782
8	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.952	.838	.828	.820	.813	.808	.803	.800	.796	.794	.790	.787	.784
7	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.917	.828	.820	.813	.807	.803	.799	.796	.793	.791	.788	.785	.783
6	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.876	.818	.812	.806	.802	.798	.795	.792	.790	.788	.785	.783	.782
5	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.826	.809	.804	.800	.797	.794	.791	.789	.787	.786	.783	.782	.780

PROPOSED

AMENDATORY SECTION (Amending Order 88-26, filed 12/1/88, effective 1/1/89)

WAC 296-17-91903 Table IV.

RETROSPECTIVE RATING PLAN A1
 MINIMUM PREMIUM RATIOS
 BASIC PREMIUM RATIO = .058
 LOSS CONVERSION FACTOR = .729
 Effective ((January 1, 1989)) April 10, 1995

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
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Size Group

84	.995	.990	.986	.981	.977	.972	.968	.963	.959	.955	.947	.939	.931	.917
83	.995	.990	.985	.980	.975	.970	.966	.961	.957	.952	.944	.935	.927	.912
82	.995	.989	.984	.979	.974	.969	.964	.959	.954	.950	.940	.932	.923	.907
81	.994	.989	.983	.978	.972	.967	.962	.957	.952	.947	.937	.928	.919	.903
80	.994	.988	.982	.977	.971	.965	.960	.955	.949	.944	.934	.924	.915	.898
79	.994	.987	.981	.975	.969	.963	.958	.952	.946	.941	.930	.920	.910	.892
78	.993	.987	.980	.974	.967	.961	.955	.949	.943	.938	.927	.916	.905	.886
77	.993	.986	.979	.972	.966	.959	.953	.946	.940	.934	.922	.911	.900	.880
76	.992	.985	.978	.971	.964	.957	.951	.944	.938	.931	.919	.907	.896	.875
75	.992	.985	.977	.970	.962	.955	.949	.942	.935	.929	.916	.904	.892	.870
74	.992	.984	.976	.968	.960	.953	.946	.939	.932	.925	.911	.898	.886	.863
73	.991	.983	.974	.966	.958	.951	.943	.935	.928	.921	.907	.893	.881	.856
72	.991	.982	.973	.965	.956	.948	.940	.932	.925	.917	.902	.888	.875	.850
71	.990	.981	.972	.963	.954	.946	.937	.929	.921	.913	.898	.883	.869	.843
70	.990	.980	.971	.961	.952	.943	.934	.926	.917	.909	.893	.878	.863	.836
69	.990	.979	.969	.960	.950	.941	.932	.923	.914	.906	.889	.874	.859	.831
68	.989	.979	.969	.959	.949	.939	.930	.921	.912	.904	.887	.871	.856	.827
67	.989	.978	.968	.958	.948	.938	.928	.919	.910	.901	.884	.868	.852	.824
66	.989	.977	.967	.956	.946	.936	.926	.916	.907	.898	.880	.864	.848	.818
65	.988	.976	.965	.954	.944	.933	.923	.913	.903	.894	.876	.859	.842	.812
64	.988	.976	.964	.953	.942	.931	.920	.910	.900	.890	.872	.854	.837	.806))
63	.987	.975	.963	.951	.940	.928	.918	.907	.897	.887	.868	.850	.833	.801
62	.987	.974	.961	.949	.938	.926	.915	.904	.894	.884	.864	.845	.828	.795
61	.986	.973	.960	.948	.936	.924	.912	.901	.890	.880	.860	.841	.823	.789
60	.986	.972	.959	.946	.933	.921	.909	.898	.887	.876	.855	.836	.817	.783
59	.985	.971	.958	.944	.931	.919	.907	.895	.883	.872	.851	.831	.812	.777
58	.985	.970	.956	.943	.929	.917	.904	.892	.880	.869	.847	.826	.807	.771
57	.985	.970	.955	.941	.927	.914	.901	.889	.877	.865	.843	.822	.802	.765
56	.984	.969	.954	.939	.925	.912	.899	.886	.874	.862	.839	.818	.797	.760
55	.984	.968	.953	.938	.924	.910	.896	.884	.871	.859	.836	.814	.793	.756

54	.983	.967	.951	.936	.922	.908	.894	.881	.868	.856	.832	.810	.790	.752
53	.983	.966	.950	.935	.920	.906	.892	.878	.866	.853	.829	.807	.786	.748
52	.982	.965	.949	.933	.918	.904	.890	.876	.863	.850	.826	.804	.783	.744
51	.982	.965	.948	.932	.917	.902	.887	.874	.860	.847	.823	.800	.779	.740
50	.982	.964	.947	.930	.915	.899	.885	.871	.857	.844	.819	.796	.775	.735
49	.981	.963	.946	.929	.913	.897	.882	.868	.854	.841	.816	.792	.770	.731
48	.981	.962	.945	.927	.911	.895	.880	.866	.852	.838	.812	.789	.767	.727
47	.980	.962	.944	.926	.910	.894	.878	.864	.849	.836	.810	.786	.764	.723
46	.980	.961	.943	.925	.909	.893	.877	.863	.848	.835	.809	.785	.763	.723
45	.980	.961	.942	.925	.908	.892	.877	.862	.848	.834	.808	.784	.762	.722
44	.980	.960	.942	.924	.907	.891	.876	.861	.847	.833	.808	.784	.762	.722
43	.980	.960	.941	.924	.907	.891	.875	.861	.846	.833	.807	.784	.762	.722
42	.979	.959	.940	.922	.905	.888	.872	.857	.843	.829	.803	.779	.757	.717
41	.978	.958	.938	.920	.902	.885	.869	.853	.839	.825	.798	.774	.751	.710
40	.978	.957	.937	.918	.899	.882	.866	.850	.835	.820	.793	.768	.745	.704
39	.977	.956	.935	.916	.897	.879	.863	.846	.831	.816	.789	.764	.741	.699
38	.977	.955	.934	.914	.895	.877	.860	.843	.828	.813	.785	.760	.736	.694
37	.976	.954	.933	.912	.893	.875	.857	.841	.825	.810	.782	.756	.732	.690
36	.976	.953	.932	.911	.891	.873	.855	.838	.822	.807	.779	.753	.729	.686
35	.976	.953	.931	.910	.890	.871	.854	.837	.821	.805	.777	.751	.727	.684
34	.975	.952	.930	.909	.889	.870	.852	.835	.819	.804	.775	.749	.725	.683
33	.975	.951	.929	.908	.888	.869	.851	.834	.818	.802	.774	.748	.724	.682
32	.975	.951	.929	.907	.887	.868	.850	.833	.817	.802	.773	.747	.724	.682
31	.975	.951	.928	.907	.886	.867	.849	.832	.816	.801	.773	.747	.724	.682
30	.974	.950	.927	.906	.886	.867	.849	.832	.816	.801	.773	.747	.724	.682
29	.974	.950	.927	.906	.886	.867	.849	.832	.816	.801	.773	.747	.724	.682
28	.974	.949	.926	.904	.883	.864	.846	.828	.812	.797	.769	.744	.721	.682
27	.973	.947	.922	.899	.877	.857	.837	.819	.802	.785	.754	.727	.701	.657
26	.972	.945	.919	.895	.872	.851	.830	.811	.792	.775	.742	.712	.685	.636
25	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
24	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
23	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
22	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
21	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
20	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
19	.970	.941	.915	.891	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
18	.969	.940	.912	.887	.864	.843	.823	.804	.785	.766	.732	.701	.672	.620
17	.968	.938	.911	.885	.862	.840	.820	.801	.784	.766	.732	.701	.672	.620
16	.968	.937	.910	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
15	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
14	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
13	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
12	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
11	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
10	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
9	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
8	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
7	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
6	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
5	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620

AMENDATORY SECTION (Amending Order 88-26, filed 12/1/88, effective 1/1/89)

WAC 296-17-91904 Table V.

RETROSPECTIVE RATING PLAN A2
 MINIMUM PREMIUM RATIOS
 AND BASIC PREMIUM RATIOS
 LOSS CONVERSION FACTOR = .729
 Effective ((~~January 1, 1989~~) April 10, 1995)

Maximum Premium Ratio: 1.05 1.10 1.15 1.20 1.25 1.30 1.35 1.40 1.45 1.50 1.60 1.70 1.80 2.00

Size Group

84	Basic Premium Ratio	.517	.508	.500	.494	.488	.483	.479	.475	.472	.469	.463	.458	.453	.443
	Minimum Premium Ratio	.993	.986	.980	.974	.968	.963	.958	.953	.948	.943	.934	.924	.916	.899
83	Basic Premium Ratio	.516	.506	.498	.491	.485	.480	.476	.472	.468	.465	.458	.453	.447	.438
	Minimum Premium Ratio	.992	.985	.979	.972	.966	.961	.955	.950	.945	.939	.930	.920	.911	.893
82	Basic Premium Ratio	.515	.504	.495	.488	.482	.477	.472	.468	.464	.460	.454	.448	.442	.432
	Minimum Premium Ratio	.992	.984	.977	.971	.965	.959	.953	.947	.941	.936	.925	.915	.905	.887

PROPOSED

81	Basic Premium Ratio	.513	.502	.493	.485	.479	.473	.468	.464	.460	.456	.449	.443	.437	.427
	Minimum Premium Ratio	.991	.983	.976	.969	.963	.956	.950	.944	.938	.933	.922	.911	.900	.881
80	Basic Premium Ratio	.512	.500	.490	.482	.476	.470	.465	.460	.456	.452	.445	.438	.432	.421
	Minimum Premium Ratio	.991	.983	.975	.968	.961	.954	.948	.941	.935	.929	.917	.906	.895	.875
79	Basic Premium Ratio	.511	.498	.487	.479	.472	.466	.461	.456	.452	.448	.440	.433	.427	.415
	Minimum Premium Ratio	.990	.981	.973	.966	.958	.951	.944	.938	.931	.925	.913	.901	.889	.868
78	Basic Premium Ratio	.509	.496	.485	.476	.469	.463	.457	.452	.447	.443	.435	.428	.421	.409
	Minimum Premium Ratio	.990	.980	.972	.964	.956	.948	.941	.934	.927	.920	.907	.895	.883	.860
77	Basic Premium Ratio	.508	.494	.483	.474	.466	.459	.454	.448	.443	.439	.430	.423	.416	.402
	Minimum Premium Ratio	.989	.979	.970	.961	.953	.945	.937	.930	.923	.915	.902	.888	.876	.852
76	Basic Premium Ratio	.507	.492	.480	.471	.463	.456	.450	.444	.439	.434	.425	.417	.410	.396
	Minimum Premium Ratio	.988	.978	.968	.959	.950	.942	.934	.926	.919	.911	.897	.883	.870	.845
75	Basic Premium Ratio	.506	.490	.477	.467	.459	.452	.445	.440	.434	.429	.420	.412	.404	.390
	Minimum Premium Ratio	.988	.977	.967	.957	.948	.939	.931	.923	.915	.907	.892	.878	.864	.838
74	Basic Premium Ratio	.504	.487	.475	.464	.456	.448	.442	.435	.430	.425	.415	.406	.398	.384
	Minimum Premium Ratio	.987	.976	.965	.955	.945	.936	.927	.918	.910	.902	.886	.871	.857	.830
73	Basic Premium Ratio	.503	.485	.472	.461	.452	.444	.437	.431	.425	.420	.410	.401	.393	.377
	Minimum Premium Ratio	.986	.974	.963	.952	.942	.933	.923	.914	.905	.897	.880	.865	.849	.821
72	Basic Premium Ratio	.501	.483	.469	.458	.449	.441	.433	.427	.421	.415	.405	.395	.387	.370
	Minimum Premium Ratio	.986	.973	.961	.950	.939	.929	.919	.910	.901	.892	.874	.858	.842	.813
71	Basic Premium Ratio	.499	.480	.466	.455	.445	.437	.429	.422	.416	.410	.399	.390	.380	.364
	Minimum Premium Ratio	.985	.972	.959	.948	.936	.926	.916	.906	.896	.886	.868	.851	.835	.804
70	Basic Premium Ratio	.498	.478	.463	.451	.441	.433	.425	.418	.411	.405	.394	.384	.374	.357
	Minimum Premium Ratio	.984	.970	.957	.945	.934	.922	.912	.901	.891	.881	.862	.844	.827	.796
69	Basic Premium Ratio	.496	.475	.460	.448	.438	.429	.421	.413	.406	.400	.389	.378	.368	.351
	Minimum Premium Ratio	.984	.969	.956	.943	.931	.919	.908	.897	.887	.876	.857	.838	.821	.788
68	Basic Premium Ratio	.494	.472	.457	.444	.433	.424	.416	.408	.401	.395	.383	.372	.362	.344
	Minimum Premium Ratio	.983	.968	.954	.940	.928	.916	.904	.893	.883	.872	.852	.833	.815	.782
67	Basic Premium Ratio	.492	.469	.453	.440	.429	.420	.411	.403	.396	.390	.377	.366	.356	.338
	Minimum Premium Ratio	.982	.966	.952	.938	.925	.913	.901	.890	.879	.868	.848	.828	.810	.776
66	Basic Premium Ratio	.489	.467	.450	.436	.425	.415	.406	.398	.391	.384	.372	.360	.350	.331
	Minimum Premium Ratio	.981	.965	.950	.936	.922	.909	.897	.885	.874	.863	.841	.822	.803	.769
65	Basic Premium Ratio	.487	.464	.446	.433	.421	.411	.402	.393	.386	.379	.366	.354	.343	.324
	Minimum Premium Ratio	.981	.963	.948	.933	.919	.905	.893	.880	.868	.857	.835	.815	.796	.761
64	Basic Premium Ratio	.485	.461	.443	.429	.417	.406	.397	.388	.380	.373	.360	.348	.337	.317
	Minimum Premium Ratio	.980	.962	.945	.930	.916	.902	.888	.876	.864	.852	.829	.808	.788	.753))
63	Basic Premium Ratio	.483	.457	.439	.425	.412	.402	.392	.383	.375	.368	.354	.342	.330	.311
	Minimum Premium Ratio	.979	.960	.943	.927	.912	.898	.884	.871	.859	.846	.823	.802	.782	.745
62	Basic Premium Ratio	.480	.454	.436	.421	.408	.397	.387	.378	.370	.362	.348	.335	.324	.304
	Minimum Premium Ratio	.978	.959	.941	.925	.909	.894	.880	.867	.854	.841	.818	.796	.775	.738
61	Basic Premium Ratio	.478	.451	.432	.416	.403	.392	.382	.373	.364	.356	.342	.329	.318	.297
	Minimum Premium Ratio	.977	.957	.939	.922	.906	.891	.876	.862	.849	.836	.811	.789	.768	.730
60	Basic Premium Ratio	.475	.448	.428	.412	.399	.387	.377	.367	.358	.350	.336	.323	.311	.290
	Minimum Premium Ratio	.976	.955	.936	.919	.902	.886	.871	.857	.843	.830	.805	.781	.760	.721
59	Basic Premium Ratio	.473	.445	.424	.408	.394	.382	.371	.362	.353	.344	.329	.316	.304	.283
	Minimum Premium Ratio	.975	.954	.934	.916	.898	.882	.867	.852	.837	.824	.798	.774	.752	.713
58	Basic Premium Ratio	.471	.442	.421	.404	.389	.377	.366	.356	.347	.338	.323	.310	.298	.277
	Minimum Premium Ratio	.974	.952	.931	.912	.895	.878	.862	.847	.832	.818	.792	.767	.745	.704
57	Basic Premium Ratio	.468	.438	.417	.399	.385	.372	.361	.351	.341	.333	.317	.303	.291	.270
	Minimum Premium Ratio	.973	.950	.929	.909	.891	.874	.857	.842	.827	.813	.786	.761	.738	.697
56	Basic Premium Ratio	.465	.434	.412	.395	.380	.367	.355	.345	.335	.326	.311	.297	.285	.263
	Minimum Premium Ratio	.972	.948	.926	.906	.887	.870	.853	.837	.822	.807	.780	.755	.731	.690
55	Basic Premium Ratio	.462	.430	.408	.390	.374	.361	.349	.339	.329	.320	.304	.290	.278	.257
	Minimum Premium Ratio	.971	.946	.924	.903	.884	.866	.849	.832	.817	.802	.774	.749	.725	.683
54	Basic Premium Ratio	.458	.426	.403	.384	.369	.355	.343	.333	.323	.314	.298	.284	.271	.250
	Minimum Premium Ratio	.970	.945	.922	.900	.880	.862	.844	.827	.812	.797	.768	.743	.719	.677
53	Basic Premium Ratio	.455	.422	.398	.379	.363	.350	.337	.327	.317	.307	.291	.277	.265	.244
	Minimum Premium Ratio	.969	.943	.919	.897	.877	.858	.840	.823	.807	.792	.763	.737	.713	.671

PROPOSED

52	Basic Premium Ratio	.451	.417	.393	.374	.358	.344	.332	.320	.310	.301	.285	.271	.258	.238
	Minimum Premium Ratio	.968	.941	.917	.895	.874	.854	.836	.819	.803	.787	.758	.732	.709	.666
51	Basic Premium Ratio	.447	.413	.388	.369	.352	.338	.325	.314	.304	.295	.278	.264	.252	.232
	Minimum Premium Ratio	.967	.939	.914	.891	.870	.851	.832	.815	.798	.782	.753	.727	.703	.660
50	Basic Premium Ratio	.443	.408	.383	.363	.346	.332	.319	.308	.298	.288	.272	.258	.245	.225
	Minimum Premium Ratio	.966	.937	.912	.888	.867	.846	.828	.810	.793	.777	.747	.721	.697	.654
49	Basic Premium Ratio	.440	.403	.378	.357	.340	.326	.313	.301	.291	.282	.265	.251	.239	.219
	Minimum Premium Ratio	.965	.935	.909	.885	.863	.842	.823	.805	.788	.772	.742	.715	.690	.647
48	Basic Premium Ratio	.436	.399	.372	.352	.334	.320	.307	.295	.285	.275	.259	.245	.232	.213
	Minimum Premium Ratio	.964	.933	.907	.882	.860	.839	.819	.801	.783	.767	.737	.710	.685	.641
47	Basic Premium Ratio	.431	.394	.367	.346	.328	.313	.300	.289	.278	.269	.252	.238	.226	.207
	Minimum Premium Ratio	.962	.931	.904	.879	.856	.835	.816	.797	.780	.763	.733	.706	.681	.637
46	Basic Premium Ratio	.427	.388	.361	.339	.321	.306	.293	.282	.271	.262	.246	.232	.220	.201
	Minimum Premium Ratio	.961	.929	.901	.876	.853	.832	.812	.793	.776	.760	.729	.702	.678	.635
45	Basic Premium Ratio	.423	.383	.354	.333	.315	.300	.286	.275	.265	.255	.239	.226	.215	.196
	Minimum Premium Ratio	.960	.927	.899	.873	.850	.829	.809	.790	.773	.757	.727	.700	.675	.633
44	Basic Premium Ratio	.418	.377	.348	.326	.308	.293	.280	.268	.258	.249	.233	.220	.209	.191
	Minimum Premium Ratio	.958	.925	.897	.871	.848	.826	.806	.788	.771	.754	.725	.698	.674	.631
43	Basic Premium Ratio	.413	.371	.342	.319	.301	.286	.273	.262	.252	.243	.227	.215	.204	.186
	Minimum Premium Ratio	.957	.924	.895	.869	.846	.824	.804	.786	.768	.752	.723	.696	.672	.630
42	Basic Premium Ratio	.408	.365	.335	.313	.294	.279	.266	.255	.245	.236	.221	.208	.197	.180
	Minimum Premium Ratio	.956	.921	.892	.865	.842	.820	.799	.781	.763	.747	.716	.690	.666	.623
41	Basic Premium Ratio	.403	.359	.329	.306	.288	.272	.259	.248	.238	.229	.213	.201	.190	.173
	Minimum Premium Ratio	.954	.919	.889	.862	.837	.815	.794	.775	.757	.740	.710	.683	.659	.616
40	Basic Premium Ratio	.398	.353	.322	.299	.281	.265	.252	.241	.231	.222	.207	.194	.184	.167
	Minimum Premium Ratio	.953	.917	.886	.858	.833	.810	.789	.770	.752	.735	.704	.677	.651	.609
39	Basic Premium Ratio	.392	.347	.316	.292	.274	.258	.245	.234	.224	.215	.200	.188	.177	.161
	Minimum Premium Ratio	.951	.914	.883	.855	.829	.806	.785	.765	.747	.730	.699	.671	.646	.603
38	Basic Premium Ratio	.386	.340	.309	.286	.267	.252	.238	.227	.217	.209	.194	.182	.171	.155
	Minimum Premium Ratio	.950	.913	.880	.852	.826	.802	.781	.761	.743	.725	.694	.666	.641	.598
37	Basic Premium Ratio	.380	.333	.302	.279	.260	.245	.232	.221	.211	.202	.188	.176	.166	.150
	Minimum Premium Ratio	.949	.911	.878	.849	.823	.800	.778	.757	.739	.722	.690	.661	.636	.593
36	Basic Premium Ratio	.373	.326	.295	.272	.253	.238	.225	.214	.204	.196	.181	.170	.160	.145
	Minimum Premium Ratio	.948	.909	.876	.847	.821	.797	.775	.755	.736	.718	.687	.658	.634	.590
35	Basic Premium Ratio	.366	.318	.287	.264	.246	.230	.218	.207	.197	.189	.175	.164	.154	.140
	Minimum Premium Ratio	.947	.908	.874	.845	.818	.795	.773	.752	.734	.716	.685	.656	.632	.588
34	Basic Premium Ratio	.358	.310	.279	.256	.238	.223	.211	.200	.191	.183	.169	.158	.149	.135
	Minimum Premium Ratio	.946	.906	.873	.844	.817	.793	.771	.751	.732	.714	.683	.655	.630	.587
33	Basic Premium Ratio	.349	.302	.271	.249	.231	.216	.204	.194	.184	.177	.163	.153	.144	.130
	Minimum Premium Ratio	.945	.906	.872	.842	.816	.792	.770	.750	.732	.714	.683	.655	.630	.588
32	Basic Premium Ratio	.341	.294	.263	.241	.224	.209	.197	.187	.178	.171	.158	.148	.139	.126
	Minimum Premium Ratio	.945	.905	.872	.842	.816	.792	.770	.750	.732	.714	.683	.655	.631	.589
31	Basic Premium Ratio	.333	.285	.255	.233	.216	.202	.190	.180	.172	.164	.152	.142	.134	.122
	Minimum Premium Ratio	.944	.904	.870	.841	.814	.790	.769	.749	.730	.714	.683	.656	.633	.591
30	Basic Premium Ratio	.324	.277	.247	.225	.208	.195	.183	.174	.166	.159	.147	.137	.130	.118
	Minimum Premium Ratio	.943	.902	.869	.840	.814	.790	.769	.748	.730	.713	.683	.658	.634	.595
29	Basic Premium Ratio	.315	.268	.239	.218	.201	.188	.177	.168	.160	.153	.142	.133	.126	.115
	Minimum Premium Ratio	.942	.902	.868	.839	.813	.790	.769	.749	.731	.715	.685	.659	.637	.599
28	Basic Premium Ratio	.306	.260	.231	.210	.194	.181	.170	.161	.153	.147	.136	.127	.120	.109
	Minimum Premium Ratio	.942	.901	.867	.838	.811	.788	.766	.747	.729	.711	.681	.655	.632	.593
27	Basic Premium Ratio	.298	.252	.223	.202	.186	.173	.163	.153	.146	.139	.128	.119	.112	.101
	Minimum Premium Ratio	.940	.898	.864	.833	.806	.781	.758	.738	.718	.700	.668	.640	.614	.571
26	Basic Premium Ratio	.290	.244	.216	.195	.179	.166	.155	.146	.138	.132	.121	.112	.105	.094
	Minimum Premium Ratio	.939	.896	.860	.829	.801	.775	.752	.731	.711	.691	.657	.627	.599	.553
25	Basic Premium Ratio	.281	.236	.208	.188	.172	.159	.148	.139	.132	.125	.114	.105	.098	.088
	Minimum Premium Ratio	.938	.895	.858	.826	.797	.771	.747	.725	.704	.685	.650	.619	.592	.542
24	Basic Premium Ratio	.270	.226	.199	.179	.164	.152	.142	.133	.126	.120	.110	.102	.095	.086
	Minimum Premium Ratio	.938	.894	.858	.827	.798	.773	.749	.729	.708	.689	.655	.625	.600	.551

PROPOSED

23	Basic Premium Ratio	.259	.216	.190	.171	.156	.145	.136	.128	.121	.115	.106	.098	.093	.084
	Minimum Premium Ratio	.938	.895	.860	.829	.802	.777	.753	.733	.714	.697	.663	.636	.608	.564
22	Basic Premium Ratio	.248	.207	.181	.163	.150	.139	.130	.123	.116	.111	.102	.095	.090	.082
	Minimum Premium Ratio	.938	.896	.862	.832	.805	.781	.760	.739	.722	.704	.674	.648	.622	.580
21	Basic Premium Ratio	.236	.197	.173	.156	.143	.133	.125	.118	.112	.107	.099	.093	.088	.080
	Minimum Premium Ratio	.940	.899	.865	.836	.811	.787	.766	.747	.730	.714	.685	.659	.636	.599
20	Basic Premium Ratio	.226	.188	.165	.149	.136	.126	.119	.112	.107	.102	.094	.089	.084	.077
	Minimum Premium Ratio	.939	.898	.865	.835	.810	.788	.766	.748	.730	.715	.689	.662	.642	.607
19	Basic Premium Ratio	.218	.180	.156	.140	.128	.119	.111	.105	.100	.096	.089	.084	.080	.074
	Minimum Premium Ratio	.937	.894	.860	.830	.804	.781	.761	.742	.724	.708	.680	.655	.633	.597
18	Basic Premium Ratio	.208	.171	.148	.133	.121	.112	.105	.099	.095	.091	.084	.080	.076	.071
	Minimum Premium Ratio	.935	.892	.857	.826	.800	.777	.756	.737	.718	.703	.677	.651	.631	.594
17	Basic Premium Ratio	.199	.162	.140	.125	.115	.106	.099	.094	.090	.086	.081	.076	.073	.069
	Minimum Premium Ratio	.934	.891	.856	.826	.798	.775	.755	.736	.717	.703	.673	.653	.631	.592
16	Basic Premium Ratio	.189	.154	.133	.119	.109	.101	.095	.090	.086	.082	.077	.073	.071	.067
	Minimum Premium Ratio	.934	.890	.855	.825	.798	.775	.754	.736	.719	.706	.679	.658	.633	.598
15	Basic Premium Ratio	.181	.146	.126	.113	.103	.096	.090	.086	.082	.079	.075	.071	.069	.065
	Minimum Premium Ratio	.933	.889	.855	.826	.801	.778	.759	.739	.724	.710	.682	.663	.641	.613
14	Basic Premium Ratio	.176	.139	.119	.108	.100	.093	.088	.084	.081	.078	.074	.070	.068	.065
	Minimum Premium Ratio	.924	.878	.850	.821	.796	.775	.755	.737	.720	.706	.679	.663	.642	.608
13	Basic Premium Ratio	.170	.131	.113	.103	.096	.090	.085	.082	.079	.076	.072	.070	.067	.064
	Minimum Premium Ratio	.915	.868	.844	.818	.793	.772	.754	.735	.719	.706	.682	.656	.643	.612
12	Basic Premium Ratio	.164	.123	.107	.099	.092	.087	.083	.080	.077	.075	.071	.069	.067	.064
	Minimum Premium Ratio	.904	.860	.839	.812	.791	.770	.751	.732	.718	.702	.680	.655	.637	.606
11	Basic Premium Ratio	.156	.113	.102	.094	.089	.084	.081	.078	.075	.073	.070	.068	.066	.063
	Minimum Premium Ratio	.892	.859	.834	.811	.786	.768	.747	.730	.718	.704	.678	.655	.638	.612
10	Basic Premium Ratio	.148	.104	.097	.090	.086	.082	.078	.076	.074	.072	.069	.067	.065	.063
	Minimum Premium Ratio	.876	.858	.829	.807	.782	.762	.748	.728	.712	.699	.676	.654	.640	.605
9	Basic Premium Ratio	.139	.098	.092	.087	.082	.079	.076	.074	.072	.070	.068	.066	.065	.062
	Minimum Premium Ratio	.856	.853	.825	.800	.782	.761	.744	.727	.712	.702	.674	.654	.631	.612
8	Basic Premium Ratio	.106	.093	.087	.083	.079	.076	.074	.072	.070	.069	.067	.065	.064	.062
	Minimum Premium Ratio	.855	.846	.823	.798	.779	.761	.741	.725	.713	.697	.671	.654	.633	.604
7	Basic Premium Ratio	.097	.088	.083	.079	.076	.074	.072	.070	.069	.068	.066	.064	.063	.061
	Minimum Premium Ratio	.855	.840	.818	.797	.777	.756	.738	.725	.707	.691	.668	.655	.636	.613
6	Basic Premium Ratio	.089	.083	.079	.076	.074	.072	.070	.068	.067	.066	.065	.063	.062	.061
	Minimum Premium Ratio	.855	.836	.814	.792	.768	.749	.735	.725	.709	.696	.664	.656	.640	.602
5	Basic Premium Ratio	.082	.078	.075	.073	.071	.069	.068	.067	.066	.065	.063	.062	.062	.061
	Minimum Premium Ratio	.855	.833	.811	.787	.767	.752	.732	.714	.700	.689	.677	.658	.624	.586

PROPOSED

AMENDATORY SECTION (Amending Order 88-26, filed 12/1/88, effective 1/1/89)

WAC 296-17-91905 Table VI.

RETROSPECTIVE RATING PLAN A3
 MINIMUM PREMIUM RATIOS
 AND BASIC PREMIUM RATIOS
 LOSS CONVERSION FACTOR = .729
 Effective ((January 1, 1989)) April 10, 1995

Maximum Premium Ratio: 1.05 1.10 1.15 1.20 1.25 1.30 1.35 1.40 1.45 1.50 1.60 1.70 1.80 2.00

Size Group

(84)	Basic Premium Ratio	.832	.812	.793	.783	.767	.765	.754	.747	.736	.733	.720	.705	.694	.667
	Minimum Premium Ratio	.986	.974	.964	.955	.948	.940	.934	.928	.923	.917	.907	.898	.889	.873
83	Basic Premium Ratio	.832	.811	.793	.782	.767	.761	.748	.744	.731	.726	.714	.702	.687	.660
	Minimum Premium Ratio	.984	.972	.961	.952	.944	.936	.930	.923	.918	.912	.901	.891	.882	.865
82	Basic Premium Ratio	.832	.810	.793	.781	.766	.757	.747	.740	.731	.724	.709	.693	.680	.653
	Minimum Premium Ratio	.983	.969	.958	.948	.940	.932	.925	.918	.912	.906	.895	.885	.875	.857

81	Basic Premium Ratio	.832	.810	.793	.777	.764	.753	.746	.732	.726	.717	.703	.689	.674	.646
	Minimum Premium Ratio	.981	.967	.955	.945	.936	.928	.920	.914	.907	.901	.889	.878	.868	.849
80	Basic Premium Ratio	.832	.810	.791	.771	.761	.752	.738	.727	.724	.713	.697	.684	.666	.638
	Minimum Premium Ratio	.980	.965	.952	.942	.932	.923	.916	.909	.901	.895	.883	.871	.861	.841
79	Basic Premium Ratio	.831	.810	.788	.770	.757	.745	.733	.725	.715	.706	.691	.675	.658	.629
	Minimum Premium Ratio	.979	.962	.949	.938	.928	.919	.911	.903	.896	.889	.876	.864	.853	.832
78	Basic Premium Ratio	.830	.805	.785	.768	.751	.741	.727	.716	.708	.698	.679	.664	.648	.618
	Minimum Premium Ratio	.977	.960	.946	.934	.924	.914	.906	.898	.890	.883	.870	.857	.845	.823
77	Basic Premium Ratio	.829	.803	.781	.760	.745	.732	.719	.710	.700	.688	.672	.654	.636	.607
	Minimum Premium Ratio	.976	.958	.943	.931	.920	.910	.901	.892	.884	.877	.862	.849	.837	.813
76	Basic Premium Ratio	.829	.802	.776	.757	.739	.727	.712	.701	.689	.679	.661	.644	.627	.595
	Minimum Premium Ratio	.974	.955	.940	.927	.916	.905	.896	.887	.879	.871	.856	.842	.829	.805
75	Basic Premium Ratio	.828	.796	.771	.753	.736	.722	.705	.693	.682	.671	.653	.634	.618	.586
	Minimum Premium Ratio	.973	.953	.937	.923	.911	.900	.891	.882	.873	.865	.849	.835	.821	.796
74	Basic Premium Ratio	.828	.796	.767	.750	.730	.713	.698	.687	.675	.665	.644	.627	.609	.575
	Minimum Premium Ratio	.971	.950	.934	.919	.907	.896	.886	.876	.867	.858	.842	.826	.812	.786
73	Basic Premium Ratio	.827	.791	.767	.746	.727	.708	.694	.681	.670	.658	.634	.618	.597	.565
	Minimum Premium Ratio	.969	.948	.930	.915	.902	.891	.880	.870	.860	.851	.835	.818	.804	.776
72	Basic Premium Ratio	.827	.790	.762	.738	.720	.703	.690	.674	.662	.649	.627	.608	.588	.554
	Minimum Premium Ratio	.967	.945	.927	.912	.898	.886	.874	.864	.854	.845	.827	.810	.795	.766
71	Basic Premium Ratio	.826	.789	.760	.736	.716	.696	.681	.667	.653	.641	.619	.598	.577	.543
	Minimum Premium Ratio	.965	.942	.923	.907	.893	.881	.869	.858	.848	.838	.819	.802	.786	.756
70	Basic Premium Ratio	.825	.787	.754	.731	.712	.693	.676	.660	.647	.634	.609	.588	.568	.532
	Minimum Premium Ratio	.964	.939	.920	.903	.888	.875	.863	.852	.841	.831	.812	.794	.777	.746
69	Basic Premium Ratio	.824	.784	.751	.725	.704	.686	.667	.653	.641	.626	.602	.578	.557	.521
	Minimum Premium Ratio	.962	.936	.916	.899	.884	.870	.858	.846	.834	.824	.804	.786	.769	.737
68	Basic Premium Ratio	.824	.779	.746	.718	.697	.677	.660	.644	.631	.615	.592	.567	.547	.510
	Minimum Premium Ratio	.959	.933	.912	.895	.879	.865	.852	.840	.828	.818	.797	.779	.761	.729
67	Basic Premium Ratio	.824	.778	.742	.713	.690	.669	.653	.636	.621	.607	.582	.559	.538	.500
	Minimum Premium Ratio	.957	.929	.908	.890	.874	.860	.846	.834	.822	.811	.790	.771	.753	.721
66	Basic Premium Ratio	.821	.774	.737	.709	.684	.663	.645	.629	.613	.598	.571	.548	.526	.490
	Minimum Premium Ratio	.955	.926	.904	.885	.869	.854	.840	.827	.815	.804	.783	.763	.745	.711
65	Basic Premium Ratio	.821	.769	.732	.702	.677	.657	.637	.619	.604	.588	.561	.538	.517	.479
	Minimum Premium Ratio	.952	.923	.900	.881	.864	.848	.834	.821	.808	.797	.775	.754	.735	.701
64	Basic Premium Ratio	.818	.764	.727	.697	.670	.648	.629	.612	.596	.580	.552	.528	.507	.469
	Minimum Premium Ratio	.950	.920	.896	.876	.859	.843	.828	.814	.801	.789	.767	.746	.726	.691
63	Basic Premium Ratio	.818	.762	.722	.692	.666	.642	.622	.603	.586	.571	.543	.517	.495	.458
	Minimum Premium Ratio	.947	.916	.892	.871	.853	.837	.822	.808	.795	.782	.759	.738	.718	.682
62	Basic Premium Ratio	.814	.760	.719	.687	.659	.636	.616	.596	.578	.562	.534	.509	.486	.448
	Minimum Premium Ratio	.945	.912	.887	.866	.848	.831	.815	.801	.788	.775	.751	.729	.709	.673
61	Basic Premium Ratio	.813	.754	.713	.680	.652	.628	.606	.587	.570	.553	.524	.497	.475	.437
	Minimum Premium Ratio	.942	.909	.883	.861	.842	.825	.809	.794	.780	.767	.743	.721	.700	.663
60	Basic Premium Ratio	.811	.749	.705	.672	.644	.618	.597	.577	.558	.543	.513	.486	.464	.425
	Minimum Premium Ratio	.939	.905	.879	.856	.836	.819	.802	.787	.773	.759	.734	.712	.690	.653
59	Basic Premium Ratio	.805	.744	.699	.664	.634	.608	.586	.567	.549	.532	.501	.475	.452	.413
	Minimum Premium Ratio	.937	.901	.874	.851	.831	.813	.796	.780	.765	.751	.726	.703	.681	.643
58	Basic Premium Ratio	.802	.737	.691	.655	.626	.599	.577	.557	.538	.521	.490	.464	.441	.403
	Minimum Premium Ratio	.934	.898	.870	.846	.825	.807	.789	.773	.758	.744	.718	.694	.672	.633
57	Basic Premium Ratio	.796	.731	.685	.647	.618	.591	.568	.547	.528	.511	.480	.454	.431	.392
	Minimum Premium Ratio	.932	.894	.865	.841	.819	.800	.782	.766	.751	.736	.710	.685	.663	.624
56	Basic Premium Ratio	.794	.725	.678	.640	.609	.581	.558	.537	.518	.501	.470	.443	.421	.382
	Minimum Premium Ratio	.928	.890	.860	.835	.813	.794	.776	.759	.743	.728	.701	.677	.654	.614
55	Basic Premium Ratio	.790	.721	.671	.632	.601	.573	.550	.527	.509	.490	.460	.433	.411	.371
	Minimum Premium Ratio	.925	.885	.855	.830	.807	.787	.768	.752	.735	.721	.693	.668	.645	.606
54	Basic Premium Ratio	.787	.714	.666	.626	.592	.565	.541	.518	.499	.481	.450	.423	.400	.363
	Minimum Premium Ratio	.921	.881	.849	.823	.801	.780	.761	.744	.728	.713	.685	.660	.637	.597
53	Basic Premium Ratio	.784	.709	.659	.617	.585	.555	.532	.509	.489	.472	.440	.414	.391	.353
	Minimum Premium Ratio	.917	.876	.844	.818	.794	.774	.754	.737	.721	.705	.677	.652	.629	.589

PROPOSED

52	Basic Premium Ratio	.780	.704	.651	.610	.577	.548	.522	.501	.481	.463	.431	.405	.382	.345
	Minimum Premium Ratio	.913	.871	.839	.812	.788	.767	.748	.729	.713	.697	.669	.644	.621	.581
51	Basic Premium Ratio	.775	.698	.644	.602	.567	.539	.514	.491	.471	.454	.422	.396	.372	.336
	Minimum Premium Ratio	.909	.866	.833	.806	.782	.760	.740	.722	.705	.689	.661	.635	.613	.573
50	Basic Premium Ratio	.769	.690	.634	.593	.557	.529	.502	.480	.460	.442	.411	.384	.362	.325
	Minimum Premium Ratio	.905	.861	.828	.799	.775	.752	.733	.714	.697	.681	.652	.627	.604	.564
49	Basic Premium Ratio	.763	.682	.626	.583	.548	.519	.493	.470	.450	.432	.400	.374	.352	.316
	Minimum Premium Ratio	.901	.856	.822	.793	.768	.745	.725	.706	.689	.673	.644	.618	.595	.555
48	Basic Premium Ratio	.756	.674	.617	.574	.538	.509	.482	.460	.439	.422	.390	.365	.342	.307
	Minimum Premium Ratio	.897	.851	.816	.786	.761	.738	.718	.699	.682	.665	.636	.610	.587	.547
47	Basic Premium Ratio	.750	.665	.607	.564	.528	.498	.472	.449	.429	.411	.381	.355	.333	.298
	Minimum Premium Ratio	.892	.846	.810	.780	.754	.731	.710	.692	.674	.658	.628	.602	.579	.539
46	Basic Premium Ratio	.741	.654	.596	.552	.516	.485	.460	.437	.418	.400	.370	.345	.323	.289
	Minimum Premium Ratio	.888	.840	.803	.773	.747	.724	.703	.684	.666	.650	.621	.596	.573	.534
45	Basic Premium Ratio	.731	.643	.585	.540	.503	.473	.448	.426	.406	.389	.360	.335	.315	.282
	Minimum Premium Ratio	.884	.834	.796	.766	.740	.717	.696	.677	.660	.643	.614	.589	.567	.528
44	Basic Premium Ratio	.722	.633	.573	.528	.493	.463	.437	.415	.396	.379	.350	.326	.306	.274
	Minimum Premium Ratio	.879	.828	.790	.759	.732	.709	.689	.670	.653	.637	.608	.583	.561	.523
43	Basic Premium Ratio	.712	.622	.562	.517	.481	.451	.426	.405	.386	.370	.341	.318	.298	.267
	Minimum Premium Ratio	.874	.822	.783	.752	.726	.703	.682	.663	.646	.630	.602	.578	.556	.518
42	Basic Premium Ratio	.703	.612	.551	.506	.470	.440	.415	.394	.375	.358	.330	.307	.288	.257
	Minimum Premium Ratio	.869	.815	.776	.745	.718	.694	.673	.654	.637	.621	.593	.568	.547	.509
41	Basic Premium Ratio	.696	.602	.541	.495	.458	.429	.403	.382	.363	.347	.319	.296	.277	.247
	Minimum Premium Ratio	.863	.809	.769	.737	.710	.686	.665	.645	.628	.612	.583	.559	.537	.499
40	Basic Premium Ratio	.686	.592	.530	.484	.448	.418	.392	.371	.352	.336	.308	.286	.267	.237
	Minimum Premium Ratio	.858	.802	.762	.729	.701	.677	.656	.637	.619	.603	.574	.549	.527	.490
39	Basic Premium Ratio	.677	.581	.520	.473	.437	.407	.382	.360	.342	.325	.298	.275	.257	.228
	Minimum Premium Ratio	.852	.796	.754	.721	.693	.669	.648	.628	.610	.594	.566	.541	.519	.482
38	Basic Premium Ratio	.668	.571	.509	.463	.426	.396	.372	.350	.332	.315	.288	.266	.248	.220
	Minimum Premium Ratio	.846	.789	.747	.714	.686	.661	.639	.620	.602	.586	.557	.533	.510	.473
37	Basic Premium Ratio	.659	.562	.499	.453	.416	.387	.362	.340	.322	.306	.279	.257	.240	.212
	Minimum Premium Ratio	.839	.781	.740	.706	.678	.653	.631	.612	.594	.578	.550	.525	.503	.466
36	Basic Premium Ratio	.649	.551	.488	.442	.405	.376	.351	.330	.312	.297	.270	.249	.231	.204
	Minimum Premium Ratio	.832	.774	.732	.698	.670	.645	.624	.604	.586	.570	.542	.517	.496	.459
35	Basic Premium Ratio	.635	.538	.475	.429	.393	.365	.340	.320	.302	.286	.260	.240	.223	.196
	Minimum Premium Ratio	.825	.766	.724	.690	.662	.637	.616	.596	.579	.563	.535	.510	.489	.453
34	Basic Premium Ratio	.623	.525	.463	.418	.382	.354	.330	.309	.292	.277	.252	.231	.215	.189
	Minimum Premium Ratio	.816	.757	.715	.682	.654	.629	.608	.589	.571	.556	.528	.504	.483	.447
33	Basic Premium Ratio	.610	.513	.451	.406	.371	.343	.320	.300	.283	.268	.244	.224	.208	.183
	Minimum Premium Ratio	.808	.749	.707	.674	.646	.622	.600	.582	.564	.549	.521	.498	.477	.442
32	Basic Premium Ratio	.597	.501	.440	.395	.361	.334	.311	.291	.274	.260	.236	.217	.201	.177
	Minimum Premium Ratio	.799	.740	.699	.666	.638	.614	.593	.575	.558	.543	.515	.492	.472	.438
31	Basic Premium Ratio	.582	.486	.425	.382	.348	.321	.299	.280	.264	.250	.226	.208	.193	.171
	Minimum Premium Ratio	.791	.732	.690	.658	.630	.606	.586	.567	.551	.536	.510	.487	.467	.434
30	Basic Premium Ratio	.567	.471	.412	.369	.336	.309	.288	.269	.254	.240	.218	.201	.187	.165
	Minimum Premium Ratio	.782	.723	.681	.649	.622	.599	.579	.561	.545	.530	.504	.482	.463	.430
29	Basic Premium Ratio	.551	.457	.398	.356	.324	.299	.277	.260	.245	.232	.210	.194	.180	.160
	Minimum Premium Ratio	.773	.714	.673	.642	.615	.592	.572	.555	.539	.524	.499	.477	.459	.427
28	Basic Premium Ratio	.537	.444	.386	.344	.313	.287	.266	.249	.234	.221	.200	.184	.171	.151
	Minimum Premium Ratio	.764	.705	.665	.633	.606	.584	.564	.546	.530	.516	.491	.470	.451	.421
27	Basic Premium Ratio	.524	.431	.373	.332	.300	.275	.254	.236	.221	.208	.187	.170	.157	.136
	Minimum Premium Ratio	.755	.697	.655	.623	.596	.573	.552	.534	.518	.502	.476	.453	.433	.400
26	Basic Premium Ratio	.510	.418	.361	.320	.288	.263	.242	.224	.209	.196	.175	.158	.145	.124
	Minimum Premium Ratio	.747	.688	.646	.613	.586	.562	.541	.523	.505	.490	.463	.439	.418	.383
25	Basic Premium Ratio	.497	.405	.348	.307	.276	.251	.230	.213	.198	.185	.164	.147	.134	.114
	Minimum Premium Ratio	.738	.679	.638	.605	.577	.553	.531	.512	.495	.479	.451	.427	.405	.369
24	Basic Premium Ratio	.476	.386	.331	.292	.262	.238	.218	.202	.188	.176	.157	.141	.129	.111
	Minimum Premium Ratio	.727	.669	.628	.596	.569	.546	.525	.506	.490	.474	.447	.423	.402	.367

PROPOSED

23	Basic Premium Ratio	.454	.368	.315	.277	.249	.226	.208	.192	.179	.168	.150	.136	.124	.107
	Minimum Premium Ratio	.716	.659	.619	.588	.561	.539	.519	.501	.485	.469	.443	.420	.400	.365
22	Basic Premium Ratio	.434	.351	.300	.264	.237	.216	.198	.184	.172	.161	.144	.131	.120	.104
	Minimum Premium Ratio	.704	.649	.611	.580	.555	.533	.513	.496	.480	.465	.439	.417	.397	.363
21	Basic Premium Ratio	.414	.335	.286	.252	.226	.206	.190	.176	.165	.155	.139	.126	.117	.102
	Minimum Premium Ratio	.693	.640	.603	.573	.548	.527	.508	.491	.476	.461	.436	.414	.395	.361
20	Basic Premium Ratio	.394	.318	.271	.238	.214	.194	.178	.166	.155	.145	.130	.119	.110	.096
	Minimum Premium Ratio	.683	.631	.595	.566	.541	.520	.502	.485	.470	.456	.431	.410	.391	.358
19	Basic Premium Ratio	.377	.301	.254	.222	.198	.179	.164	.152	.142	.133	.120	.109	.101	.089
	Minimum Premium Ratio	.674	.621	.585	.557	.533	.513	.494	.478	.464	.450	.426	.405	.387	.355
18	Basic Premium Ratio	.358	.283	.238	.207	.184	.166	.152	.140	.131	.123	.110	.101	.094	.083
	Minimum Premium Ratio	.664	.612	.575	.547	.524	.505	.488	.472	.458	.445	.421	.401	.383	.352
17	Basic Premium Ratio	.339	.266	.222	.192	.171	.154	.140	.130	.121	.114	.103	.094	.088	.079
	Minimum Premium Ratio	.654	.602	.567	.539	.517	.497	.480	.466	.453	.440	.418	.398	.380	.350
16	Basic Premium Ratio	.320	.249	.208	.179	.159	.143	.131	.121	.113	.106	.096	.088	.083	.075
	Minimum Premium Ratio	.644	.593	.559	.532	.510	.491	.475	.461	.448	.436	.414	.395	.378	.348
15	Basic Premium Ratio	.303	.234	.194	.168	.148	.134	.122	.113	.106	.100	.091	.084	.079	.072
	Minimum Premium Ratio	.635	.586	.552	.526	.504	.486	.470	.457	.445	.433	.412	.393	.376	.346
14	Basic Premium Ratio	.293	.220	.180	.157	.141	.128	.117	.109	.103	.097	.089	.082	.078	.071
	Minimum Premium Ratio	.630	.579	.545	.521	.501	.483	.468	.455	.443	.432	.411	.392	.375	.346
13	Basic Premium Ratio	.281	.204	.167	.148	.133	.122	.112	.105	.099	.094	.086	.081	.076	.070
	Minimum Premium Ratio	.624	.571	.538	.516	.497	.480	.465	.453	.441	.430	.409	.391	.374	.345
12	Basic Premium Ratio	.269	.187	.156	.139	.126	.116	.108	.101	.096	.091	.084	.079	.075	.069
	Minimum Premium Ratio	.618	.562	.533	.512	.493	.477	.463	.451	.440	.429	.408	.390	.374	.345
11	Basic Premium Ratio	.254	.167	.145	.130	.119	.110	.103	.097	.092	.088	.082	.077	.073	.068
	Minimum Premium Ratio	.611	.552	.527	.507	.490	.474	.461	.449	.438	.427	.407	.389	.373	.344
10	Basic Premium Ratio	.238	.150	.135	.122	.113	.105	.098	.093	.089	.085	.079	.075	.072	.067
	Minimum Premium Ratio	.603	.544	.522	.503	.487	.472	.458	.447	.436	.426	.406	.388	.372	.344
9	Basic Premium Ratio	.219	.138	.125	.115	.106	.100	.094	.089	.085	.082	.077	.073	.071	.066
	Minimum Premium Ratio	.593	.538	.517	.500	.483	.469	.456	.445	.434	.424	.405	.387	.372	.343
8	Basic Premium Ratio	.197	.127	.116	.107	.100	.094	.090	.086	.082	.079	.075	.072	.069	.065
	Minimum Premium Ratio	.582	.532	.513	.496	.480	.466	.454	.443	.433	.423	.404	.387	.371	.343
7	Basic Premium Ratio	.170	.117	.108	.100	.094	.089	.085	.082	.079	.077	.073	.070	.068	.064
	Minimum Premium Ratio	.569	.527	.509	.492	.477	.464	.452	.441	.431	.422	.403	.386	.370	.342
6	Basic Premium Ratio	.137	.107	.100	.094	.089	.085	.081	.078	.076	.074	.071	.068	.066	.064
	Minimum Premium Ratio	.552	.522	.505	.489	.475	.462	.450	.439	.430	.420	.402	.385	.369	.342
5	Basic Premium Ratio	.105	.098	.092	.087	.083	.080	.077	.075	.073	.071	.068	.066	.065	.063
	Minimum Premium Ratio	.536	.518	.501	.486	.472	.459	.448	.438	.428	.419	.400	.384	.369	.342

**WSR 95-01-120
PROPOSED RULES
UTILITIES AND TRANSPORTATION
COMMISSION**

[Filed December 21, 1994, 11:24 a.m.]

Original Notice.

Title of Rule: Amendment to WAC 480-120-081, relating to disconnection of service. Docket No. UT-941642.

Purpose: See Explanation of Rule below.

Statutory Authority for Adoption: RCW 80.01.040.

Summary: See Explanation of Rule below.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Steve McLellan, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA, (206) 753-6451.

Name of Proponent: Washington Utilities and Transportation Commission, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: No comments or recommendations are submitted.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To amend WAC 480-120-081 Discontinuance of service, to conform with commentors' and commission's intent in prior amendments in Docket No. UT-940049, correcting a scrivener's error. No CR-101 is filed because the rule was developed in a public process in Docket No. UT-940049 and the proposed amendment will conform this rule with parties' intent in that docket. The proposed change would reduce the number of required telephone calls by service providers from three to two, prior to discontinuance of service, consistent with requirements in place before Docket No. UT-940049.

Proposal Changes the Following Existing Rules: See Explanation of Rule above.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. The proposed rule change would affect virtually all of the companies in Standard Industry Classification No. 4813: Telephone Communications, Except Radiotelephone. Staff has deter-

mined that the proposed amendment would reduce costs on business, large or small. A small business economic impact statement is not required.

Hearing Location: Commission Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, on January 25, 1995, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Cheryl Schlenker by January 11, 1995, TTY (206) 586-8203, or (206) 753-6447.

Submit Written Comments to: Steve McLellan, Secretary, P.O. Box 47250, Olympia, WA 98504-7250, by January 13, 1995.

Date of Intended Adoption: January 25, 1995.

December 21, 1994

Terrence Stapleton
for Steve McLellan
Secretary

AMENDATORY SECTION (Amending Order R-422, Docket No. UT-940049, filed 9/22/94, effective 10/23/94)

WAC 480-120-081 Discontinuance of service. (1) By subscriber - a subscriber shall be required to give notice to the telecommunications company of his intention to discontinue service.

(2) By telecommunications company - service may be discontinued by the telecommunications company for any of the following reasons:

(a) For the nonpayment of bills. The telecommunications company shall require that bills for service be paid within a specified time after issuance. The minimum specified time shall be fifteen days. Upon the expiration of said specified time without payment, the bill may be considered delinquent.

(b) For tampering with the telecommunications company's property.

(c) In case of vacation of the premises by subscriber.

(d) For nonpayment of any proper charges including deposit, as provided in the tariff or pricelist of the telecommunications company. Nonpayment of charges billed by the telecommunications company on behalf of information providers shall not be grounds for discontinuance of service in whole or in part. Nonpayment of interexchange carrier charges shall not be grounds for disconnection of local service. However, the telecommunications company may toll restrict a subscriber's service for nonpayment of proper interexchange carrier charges. Disputed third party billed charges shall not be grounds for disconnection of service in whole or in part.

(e) For violation of rules, service agreements, or filed tariff(s).

(f) For use of subscriber equipment which adversely affects the telecommunications company's service to its other subscribers.

(g) For fraudulent obtaining or use of service. Whenever a fraudulent obtaining or use of the service is detected the telecommunications company may discontinue service without notice: *Provided, however,* That if the subscriber shall make immediate payment for such estimated amount of service as had been fraudulently taken and all costs resulting from such fraudulent use, the telecommunications company

shall continue such service, subject to any applicable deposit requirements. If a second offense as to fraudulent obtaining or use is detected the telecommunications company may refuse to reestablish service, subject to appeal to the commission. The burden of proof of such fraudulent obtaining or use will be upon the telecommunications company in case of an appeal to the commission. This rule shall not be interpreted as relieving the subscriber or other person of civil or criminal responsibility.

(h) For unlawful use of service or use of service for unlawful purposes.

(3) When a local exchange telecommunications company has cause to totally disconnect or has totally disconnected a residential service, it shall postpone disconnection of local service or shall reinstate local service after receiving either verbal or written notification of the existence of a medical emergency for a grace period of five business days. When service is reinstated, payment of a reconnection charge and/or deposit shall not be required prior to reinstatement of local service.

(a) The local exchange company may require that the subscriber within five business days submit written certification from a qualified medical professional stating that the disconnection of local service would significantly endanger the physical health of the subscriber, a member of the subscriber's family or another permanent resident of the household. "Qualified medical professional" means a licensed physician, nurse practitioner, or physician's assistant authorized to diagnose and treat the medical condition without supervision of a physician. Nothing in this section precludes a company from accepting other forms of certification but the maximum the company can require is written certification. If the company requires written certification, it may require that the certification include some or all of the following information:

(i) The name of the resident whose health would be affected by the disconnection of local service;

(ii) The relationship to the subscriber;

(iii) A description of the health condition;

(iv) An explanation of how the physical health of the person will be endangered by disconnection of local service;

(v) A statement of how long the condition is expected to last; and

(vi) The title, signature and telephone number of the person certifying the condition.

(b) A medical emergency does not excuse a subscriber from paying delinquent and ongoing charges. The company may require that the subscriber do the following within the five business day grace period: Pay a minimum of twenty-five percent or ten dollars of the delinquent balance, whichever is greater; and enter into an agreement to pay the remaining delinquent balance within ninety days and to pay subsequent bills when due. Nothing in this section precludes the company from agreeing to an alternate payment plan, but the company may not require the subscriber to pay more than this subsection prescribes. The company shall send a notice confirming the payment arrangements within two business days.

(c) If within the five-day grace period the subscriber fails to provide acceptable certification or fails to make payment or enter into an acceptable payment arrangement,

the company may disconnect local service without further notice.

(d) If the subscriber fails to abide by the terms of the payment agreement the company may disconnect local service following notification provided for in subsection (5)(b) of this section.

(e) The medical certification shall be valid only for the length of time the health endangerment is certified to exist but no longer than six months without renewal.

(4) A subscriber's service shall be treated as continuing through a change in location from one premises to another within the same service area if a request for service at the new premises is made prior to disconnection of service at the old premises and service is not subject to termination for cause. A subscriber shall be entitled to the same type of service at the new premises unless precluded by the tariff or pricelist of the company.

(5) Except in case of danger to life or property, fraudulent use, impairment of service, or violation of law, no telecommunications company shall discontinue service unless the following conditions are met:

(a) Each telecommunications company shall provide, subsequent to a subscriber's account becoming delinquent, written notice of disconnection served on the subscriber either by mail or, at its option, by personal delivery of the notice to the subscriber's address. If a mailed notice is elected, service shall not be disconnected prior to the eighth business day following mailing of the notice. If personal delivery is elected, disconnection shall not be permitted prior to 5 p.m. of the first business day following delivery. Delivered notice shall be deemed effective if handed to a person of apparent competence in the residence or, if a business account, a person employed at the place of business of the subscriber. If no person is available to receive notice, notice shall be deemed served if attached to the primary door of the residence unit or business office at which service is provided. If service is not discontinued within ten working days of the first day on which disconnection may be effected, unless other mutually acceptable arrangements have been made, that disconnect notice shall become void and a new notice shall be required before the service can be discontinued.

(b) Before effecting disconnection of service, a telecommunications company shall make a good faith, bona fide effort to reach the subscriber in person or by telephone to advise the subscriber of the pending disconnection and the reasons therefor. Where telephone contact is elected, at least two attempts to reach the subscriber by telephone (~~at the service number~~) during reasonable hours shall be made. If a business or message telephone is provided by the subscriber, the telecommunications company shall endeavor by that means to reach the subscriber if unable to make contact through the subscriber's service telephone number. A log or record of the attempts shall be maintained by the telecommunications company showing the telephone number called and the time of call. Telephone or personal contact shall not be a substitute for written notice of disconnection as specified below. Telephone or personal contact need not be attempted when:

(i) The company has had cause in any two previous billing periods during a consecutive twelve-month period to attempt such contact; and

(ii) The company has notified the subscriber in writing that such telephone or personal contact will not be attempted in the future before effecting disconnection of services.

All notices of delinquency or pending disconnection shall detail procedures pertinent to the situation and provide notice of means by which the subscriber can make contact with the telecommunications company to resolve any differences. All notices must accurately state amounts owing for service(s) which are subject to disconnection. A new notice will be required in cases where information is incorrect.

(c) Except in case of danger to life or property, no disconnection shall be accomplished on Saturdays, Sundays, legal holidays, or on any other day on which the telecommunications company cannot reestablish service on the same or following day.

(d) When a telecommunications company employee is dispatched to disconnect service, that person shall be required to accept payment of a delinquent account at the service address if tendered in cash, but shall not be required to dispense change for cash tendered in excess of the amount due and owing. Any excess payment shall be credited to the subscriber's account. When disconnection is not effected due to such payment the telecommunications company shall be permitted to assess a reasonable fee as provided for in the tariff of the telecommunications company for the disconnection visit to the service address. Notice of the amount of such fee, if any, shall be provided within the notice of disconnection.

(e) Where the telecommunications company has reasonable grounds to believe service is to other than the subscriber of record, the company shall undertake reasonable efforts to inform occupants of the service address of the impending disconnection. Upon request of one or more service users, where service is to other than the subscriber of record, a minimum period of five business days shall be allowed to permit the service users to arrange for continued service.

(f) Where service is provided to a hospital, medical clinic with resident patients, or nursing home, notice of pending disconnection shall be provided to the secretary, Washington state department of social and health services, as well as to the subscriber. Upon request from the secretary or his designee, a delay in disconnection of no less than five business days from the date of notice shall be allowed so that the department may take whatever steps are necessary in its view to protect the interests of patients resident therein who are responsibilities of the department.

(g) Service may not be totally disconnected while a subscriber is pursuing any remedy or appeal provided for by these rules, provided any amounts not in dispute are paid when due. The subscriber shall be so informed by the telecommunications company upon referral of a complaint to a company supervisor or the commission.

(h) Where a subscriber's toll charges substantially exceed the amount of any deposit or customary utilization, and where it appears the subscriber will incur excessive, uncollectible toll charges while an appeal is being pursued, the telecommunications company may, upon authorization from the commission, disconnect service. A subscriber whose service is so eligible for disconnection may maintain service pending resolution of any dispute upon payment of

outstanding toll charges subject to refund if the dispute is resolved in the subscriber's favor.

(6) Payment of any delinquent amount to a designated payment agency of the telecommunications company shall constitute payment to the company, if the subscriber informs the company of such payment and the company verifies such payment.

(7) Service shall be restored when the causes of discontinuance have been removed and when payment or satisfactory arrangements for payment of all proper charges due from the applicant, including any proper deposit, has been made as provided for in the tariff or pricelist of the telecommunications company; or as the commission may order pending resolution of any bona fide dispute between the telecommunications company and the subscriber or applicant over the propriety of disconnection.

(8) A telecommunications company may make a charge for restoring service when service has been discontinued or toll restricted for nonpayment of bills. The amount of such charge is to be specified in the telecommunications company's tariff or pricelist.

When service is disconnected for nonpayment of a bill it may be either completely disconnected, toll restricted or partially disconnected. Toll restriction must allow access to emergency numbers such as 911. Partial disconnection means telephone service will be restricted to either incoming or outgoing service. In case of a partial disconnection, the subscriber shall be notified of the restricted usage. Upon any complete disconnection of telephone service to a subscriber, charges for service will be discontinued as of the date of the disconnection.



WSR 94-23-096
PERMANENT RULES
SOUTHWEST AIR POLLUTION
CONTROL AUTHORITY

[Filed November 18, 1994, 1:43 p.m.]

Date of Adoption: November 15, 1994.

Purpose: Establish emission control requirement for large fossil fuel-fired boilers.

Statutory Authority for Adoption: Chapter 70.94 RCW. Pursuant to notice filed as WSR 94-17-140 on August 22, 1994.

Effective Date of Rule: Thirty-one days after filing. November 16, 1994

Robert D. Elliott
 Executive Director

SWAPCA 406
ACID RAIN REGULATION

SWAPCA

406-100	Acid Rain program general provisions
406-101	Definitions.
406-102	Measurements, abbreviations, and acronyms.
406-103	Applicability.
406-104	New units exemption.
406-105	Retired units exemption.
406-106	Standard requirements.
406-200	Designated representative
406-201	Submissions.
406-202	Objections.
406-300	Acid Rain applications
406-301	Requirement to apply.
406-302	Information requirements for Acid Rain Permit applications.
406-303	Permit application shield and binding effect of permit application.
406-400	Acid Rain compliance plan and compliance options
406-401	General.
406-402	Repowering extensions.
406-500	Acid Rain Permit contents
406-501	General.
406-502	Permit shield.
406-600	Acid Rain Permit issuance procedures
406-601	General.
406-602	Completeness.
406-603	Statement of basis.
406-604	Issuance of Acid Rain Permits.
406-605	Acid Rain appeal procedures
406-700	Permit revisions
406-701	General.
406-702	Permit modifications.
406-703	Fast-track modifications.
406-704	Administrative permit amendment.
406-705	Automatic permit amendment.
406-706	Permit reopenings.
406-800	Compliance certification
406-801	Annual compliance certification report.
406-802	Units with repowering extension plans.
406-900	Nitrogen Oxides Emission Reduction Program (Reserved)

406-1000 Sulfur Dioxide Opt-ins (Reserved)

PART I
GENERAL PROVISIONS

SWAPCA 406-100 Acid Rain Program General Provisions

SWAPCA 406-101 Definitions

The terms used in this regulation shall have the meanings set forth in title IV of the Clean Air Act, 42 U.S.C. 7401, et seq. as amended by the Clean Air Act Amendments of 1990, 42 U.S.C. 7651, et seq. (November 15, 1990) and in this section as follows:

(1) "Acid Rain compliance option" means one of the methods of compliance used by an affected unit under the Acid Rain Program as described in a compliance plan submitted and approved in accordance with SWAPCA 406-400 or regulations implementing section 407 of the Act.

(2) "Acid Rain emissions limitation" means:

(a) For the purposes of sulfur dioxide emissions:

(i) The tonnage equivalent of the basic Phase II allowance allocations authorized to be allocated to an affected unit for use in a calendar year;

(ii) As adjusted:

(A) By allowances allocated by the Administrator pursuant to section 403, section 405 (a)(2), (a)(3), (b)(2), (c)(4), (d)(3), and (h)(2), and section 406 of the Act;

(B) By allowances allocated by the Administrator pursuant to subpart D of 40 CFR part 72; and thereafter

(C) By allowance transfers to or from the compliance subaccount for that unit that were recorded or properly submitted for recordation by the allowance transfer deadline pursuant to 40 CFR 73.35, after deductions and other adjustments are made pursuant to 40 CFR 73.34(c); and

(b) For purposes of nitrogen oxides emissions, the applicable limitation established by regulations promulgated by the Administrator pursuant to section 407 of the Act, as modified by an Acid Rain Permit application submitted to SWAPCA, and an Acid Rain Permit issued by SWAPCA, in accordance with regulations implementing section 407 of the Act.

(3) "Acid Rain emissions reduction requirement" means a requirement under the Acid Rain Program to reduce the emissions of sulfur dioxide or nitrogen oxides from a unit to a specified level or by a specified percentage.

(4) "Acid Rain Permit or permit" means the legally binding written document, or portion of such document, issued by SWAPCA (following an opportunity for appeal pursuant to 40 CFR part 78, RCW 43.21 or other administrative appeals procedures established by SWAPCA), including any permit revisions, specifying the Acid Rain Program requirements applicable to an affected source, to each affected unit at an affected source, and to the owners and operators and the designated representative of the affected source or the affected unit.

(5) "Acid Rain Program" means the national sulfur dioxide and nitrogen oxides air pollution control and emissions reduction program established in accordance with title IV of the Act, SWAPCA 406-100 through 406-1000, 40 CFR parts 72, 73, 75, 77, and 78, and regulations implementing sections 407 and 410 of the Act.

(6) "Act" means the Clean Air Act, 42 U.S.C. §7401, et seq. as amended by Public Law No. 101-549 (November 15, 1990).

(7) "Actual SO₂ emissions rate" means the annual average sulfur dioxide emissions rate for the unit (expressed in lb/mmBtu), for the specified calendar year; provided that, if the unit is listed in the National Allowance Data Base, the "1985 actual SO₂ emissions rate" for the unit shall be the rate specified by the Administrator in the NADB under the data field "SO2RTE."

(8) "Administrator" means the Administrator of the United States Environmental Protection Agency or the Administrator's duly authorized representative.

(9) "Affected source" means a source that includes one or more affected units.

(10) "Affected state" means a state whose boundary is within 50 statute miles of an affected source within the State of Washington.

(11) "Affected unit" means a unit that is subject to any Acid Rain emissions reduction requirement or Acid Rain emissions limitation.

(12) "Affiliate" shall have the meaning set forth in section 2 (a)(11) of the Public Utility Holding Company Act of 1935, 15 U.S.C. 79b (a)(11), as of November 15, 1990.

(13) "Allocate or allocation" means the initial crediting of an allowance by the Administrator to an Allowance Tracking System unit account or general account.

(14) "Allowance" means an authorization by the Administrator under the Acid Rain Program to emit up to one ton of sulfur dioxide during or after a specified calendar year.

(15) "Allowance deduction, or deduct when referring to allowances," means the permanent withdrawal of allowances by the Administrator from an Allowance Tracking System compliance subaccount to account for the number of the tons of SO₂ emissions from an affected unit for the calendar year, for tonnage emissions estimates calculated for periods of missing data pursuant to 40 CFR part 75, or for any other allowance surrender obligations of the Acid Rain Program.

(16) "Allowances held or hold allowances" means the allowances recorded by the Administrator, or submitted to the Administrator for recordation in accordance with 40 CFR 73.50, in an Allowance Tracking System account.

(17) "Allowance Tracking System or ATS" means the Acid Rain Program system by which the Administrator allocates, records, deducts, and tracks allowances.

(18) "Allowance Tracking System account" means an account in the Allowance Tracking System established by the Administrator for purposes of allocating, holding, transferring, and using allowances.

(19) "Allowance transfer deadline" means midnight of January 30th or, if January 30th is not a business day, midnight of the first business day thereafter and is the deadline by which allowances may be submitted for recordation in an affected unit's compliance subaccount for the purposes of meeting the unit's Acid Rain emissions limitation requirements for sulfur dioxide for the previous calendar year.

(20) "Authorized account representative" means a responsible natural person who is authorized, in accordance with 40 CFR part 73, to transfer and otherwise dispose of allowances held in an Allowance Tracking System general

account; or, in the case of a unit account, the designated representative of the owners and operators of the affected unit.

(21) "Auxiliary firing" means the combustion of additional fuel downstream of a gas turbine for the purpose of adding thermal energy to the exhaust gases which can be recovered in a waste heat recovery unit.

(22) "Basic Phase II allowance allocations" means:

(a) For calendar years 2000 through 2009 inclusive, allocations of allowances made by the Administrator pursuant to section 403 and section 405 (b)(1), (3), and (4); (c)(1), (2), (3), and (5); (d)(1), (2), (4), and (5); (e); (f); (g)(1), (2), (3), (4), and (5); (h)(1); (i); and (j).

(b) For each calendar year beginning in 2010, allocations of allowances made by the Administrator pursuant to section 403 and section 405 (b)(1), (3), and (4); (c)(1), (2), (3), and (5); (d)(1), (2), (4), and (5); (e); (f); (g)(1), (2), (3), (4), and (5); (h)(1) and (3); (i); and (j).

(23) "Boiler" means an enclosed fossil or other fuel-fired combustion device used to produce heat and to transfer heat to recirculating water, steam, or any other medium.

(24) "Certificate of representation" means the completed and signed submission required by 40 CFR 72.20, for certifying the appointment of a designated representative for an affected source or a group of identified affected sources authorized to represent the owners and operators of such source(s) and of the affected units at such source(s) with regard to matters under the Acid Rain Program.

(25) "Certifying Official" means:

(a) For a corporation, a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation;

(b) For partnership or sole proprietorship, a general partner or the proprietor, respectively; and

(c) For a local government entity or State, federal, or other public agency, either a principal executive officer or ranking elected official.

(26) "Coal" means all solid fuels classified as anthracite, bituminous, subbituminous, or lignite by the American Society for Testing and Materials Designation ASTM D388-92 "Standard Classification of Coals by Rank."

(27) "Coal-derived fuel" means any fuel, whether in a solid, liquid, or gaseous state, produced by the mechanical, thermal, or chemical processing of coal (e.g., pulverized coal, coal refuse, liquefied or gasified coal, washed coal, chemically cleaned coal, coal-oil mixtures, and coke).

(28) "Coal-fired" means the combustion of fuel consisting of coal or any coal-derived fuel (except a coal-derived gaseous fuel with a sulfur content no greater than natural gas), alone or in combination with any other fuel, where a unit is "coal-fired" if it uses coal or coal-derived fuel as its primary fuel (expressed in mmBtu); provided that, if the unit is listed in the NADB, the primary fuel is the fuel listed in the NADB under the data field "PRIMEFUEL".

(29) "Cogeneration unit" means a unit that has equipment used to produce electric energy and forms of useful thermal energy (such as heat or steam) for industrial, commercial, heating or cooling purposes, through the sequential use of energy.

(30) "Commence commercial operation" means to have begun to generate electricity for sale, including the sale of test generation.

(31) "Commence construction" means that an owner or operator has either undertaken a continuous program of construction or has entered into a contractual obligation to undertake and complete, within eighteen months, a continuous program of construction. SWAPCA may, upon application by the owner or operator, extend the period for completion at its discretion.

(32) "Commence operation" means to have begun any mechanical, chemical, or electronic process, including start-up of an emissions control technology or emissions monitor or of a unit's combustion chamber.

(33) "Common stack" means the exhaust of emissions from two or more units through a single flue.

(34) "Compliance certification" means a submission to the Administrator or SWAPCA that is required by SWAPCA 406-100 through 406-1000, by 40 CFR part 72, 73, 75, 77, or 78, or by regulations implementing sections 407 or 410 of the Act to report an affected source's or an affected unit's compliance or non-compliance with a provision of the Acid Rain Program and that is signed and verified by the designated representative in accordance with subpart B of 40 CFR part 72, SWAPCA 406-800, and the Acid Rain Program regulations generally.

(35) "Compliance plan, for purposes of the Acid Rain Program," means the document submitted for an affected source in accordance with SWAPCA 406-301 and 406-302 specifying the method(s) (including one or more Acid Rain compliance options under SWAPCA 406-402 or regulations implementing section 407 of the Act) by which each affected unit at the source will meet the applicable Acid Rain emissions limitation and Acid Rain emissions reduction requirements.

(36) "Compliance subaccount" means the subaccount in an affected unit's Allowance Tracking System account, established pursuant to 40 CFR 73.31 (a) or (b), in which are held, from the date that allowances for the current calendar year are recorded under 40 CFR 73.34(a) until December 31st, allowances available for use by the unit in the current calendar year and, after December 31st until the date that deductions are made under 40 CFR 73.35(b), allowances available for use by the unit in the preceding calendar year, for the purpose of meeting the unit's Acid Rain emissions limitation for sulfur dioxide.

(37) "Compliance use date" means the first calendar year for which an allowance may be used for purposes of meeting a unit's Acid Rain emissions limitation for sulfur dioxide.

(38) "Construction" means fabrication, erection, or installation of a unit or any portion of a unit.

(39) "Control Officer" means the Air Pollution Control Officer of a local air pollution control authority which is constituted under chapter 70.94 RCW.

(40) "Designated representative" means a responsible natural person authorized by the owners and operators of an affected source and of all affected units at the source, as evidenced by a certificate of representation submitted in accordance with subpart B of 40 CFR part 72, to represent and legally bind each owner and operator, as a matter of federal law, in matters pertaining to the Acid Rain Program.

Whenever the term "responsible official" is used in 40 CFR part 70 or in any other regulations implementing title V of the Act, it shall be deemed to refer to the "designated representative" with regard to all matters under the Acid Rain Program. An alternate designated representative is also included in this definition.

(41) "Diesel fuel" means a low sulfur fuel oil of grades 1-D or 2-D, as defined by the American Society for Testing and Materials ASTM D975-91, "Standard Specification for Diesel Fuel Oils."

(42) "Direct public utility ownership" means direct ownership of equipment and facilities by one or more corporations, the principal business of which is sale of electricity to the public at retail. Percentage ownership of such equipment and facilities shall be measured on the basis of book value.

(43) "Director" means the Director of the Washington Department of Ecology.

(44) "Draft Acid Rain Permit or draft permit" means the version of the Acid Rain Permit, or the Acid Rain portion of an Air Operating Permit, that SWAPCA offers for public comment.

(45) "Ecology" means the Washington Department of Ecology.

(46) "Emissions" means air pollutants exhausted from a unit or source into the atmosphere, as measured, recorded, and reported to the Administrator by the designated representative and as determined by the Administrator, in accordance with the emissions monitoring requirements of 40 CFR part 75.

(47) "EPA" means the United States Environmental Protection Agency.

(48) "Excess emissions" means:

(a) Any tonnage of sulfur dioxide emitted by an affected unit during a calendar year that exceeds the Acid Rain emissions limitation for sulfur dioxide for the unit; and

(b) Any tonnage of nitrogen oxides emitted by an affected unit during a calendar year that exceeds the annual tonnage equivalent of the Acid Rain emissions limitation for nitrogen oxides applicable to the affected unit taking into account the unit's heat input for the year.

(49) "Executive Director" means the Executive Director of a local air pollution control authority which is constituted under chapter 70.94 RCW.

(50) "Existing unit" means a unit (including a unit subject to section 111 of the Act) that commenced commercial operation before November 15, 1990, and that on or after November 15, 1990, served a generator with a nameplate capacity of greater than twenty-five (25) MWe. "Existing unit" does not include simple combustion turbines or any unit that on or after November 15, 1990, served only generators with a nameplate capacity of twenty-five (25) MWe or less. Any "existing unit" that is modified, reconstructed, or repowered after November 15, 1990, shall continue to be an "existing unit."

(51) "Facility" means any institutional, commercial, or industrial structure, installation, plant, source, or building.

(52) "Fossil fuel" means natural gas, petroleum, coal, or any form of solid, liquid, or gaseous fuel derived from such material.

(53) "Fossil fuel-fired" means the combustion of fossil fuel or any derivative of fossil fuel, alone or in combination

with any other fuel, independent of the percentage of fossil fuel consumed in any calendar year.

(54) "Fuel oil" means any petroleum-based fuel (including diesel fuel or petroleum derivatives such as oil tar) as defined by the American Society for Testing and Materials in ASTM D396-90a, "Standard Specification for Fuel Oils," and any recycled or blended petroleum products or petroleum by-products used as a fuel whether in a liquid, solid or gaseous state.

(55) "Gas-fired" means the combustion of natural gas, or a coal-derived gaseous fuel with a sulfur content no greater than natural gas, for at least ninety percent of the average annual heat input during the previous three calendar years and for at least 85 percent of the annual heat input in each of those calendar years; and any fuel other than coal or any other coal-derived fuel for the remaining heat input, if any.

(56) "General Account" means an Allowance Tracking System account that is not a unit account.

(57) "Generator" means a device that produces electricity and was or would have been required to be reported as a generating unit pursuant to the United States Department of Energy Form 860 (1990 edition).

(58) "Generator output capacity" means the full-load continuous rating of a generator under specific conditions as designed by the manufacturer.

(59) "Heat input" means the product (expressed in mmBtu/time) of the gross calorific value of the fuel (expressed in Btu/lb) and the fuel feed rate into the combustion device (expressed in mass of fuel/time) and does not include the heat derived from preheated combustion air, recirculated flue gases, or exhaust from other sources.

(60) "Independent power production facility (IPP)" means a source that:

(a) Is nonrecourse project financed, as defined by the Secretary of Energy at 10 CFR part 715;

(b) Is used for the generation of electricity, eighty percent or more of which is sold at wholesale; and

(c) Is a new unit required to hold allowances under title IV of the Act;

(d) Provided that direct public utility ownership of the equipment comprising the facility does not exceed fifty percent.

(61) "Life-of-the-unit, firm power contractual arrangement" means a unit participation power sales agreement under which a utility or industrial customer reserves, or is entitled to receive, a specified amount or percentage of nameplate capacity and associated energy generated by any specified generating unit and pays its proportional amount of such unit's total costs, pursuant to a contract:

(a) For the life of the unit;

(b) For a cumulative term of no less than thirty years, including contracts that permit an election for early termination; or

(c) For a period equal to or greater than twenty-five (25) years or seventy percent of the economic useful life of the unit determined as of the time the unit was built, with option rights to purchase or release some portion of the nameplate capacity and associated energy generated by the unit at the end of the period.

(62) "Nameplate capacity" means the maximum electrical generating output (expressed in MWe) that a generator

can sustain over a specified period of time when not restricted by seasonal or other deratings, as listed in the NADB under the data field "NAMECAP" if the generator is listed in the NADB or as measured in accordance with the United States Department of Energy standards if the generator is not listed in the NADB.

(63) "National Allowance Data Base or NADB" means the data base established by the Administrator under section 402 (4)(C) of the Act.

(64) "Natural Person" means an individual human being and not a firm, public or private corporation, association, partnership, political subdivision, municipality, or governmental agency corporate entity or partnership.

(65) "Natural gas" means a naturally occurring fluid mixture of hydrocarbons containing little or no sulfur (e.g., methane, ethane, or propane), produced in geological formations beneath the Earth's surface, and maintaining a gaseous state at standard atmospheric temperature and pressure conditions under ordinary conditions of sixty-eight degrees Fahrenheit and one atmosphere (seven hundred sixty millimeters of mercury).

(66) "New unit" means a unit that commences commercial operation on or after November 15, 1990, including any such unit that serves a generator with a nameplate capacity of twenty-five (25) MWe or less or that is a simple combustion turbine.

(67) "Offset plan" means a plan pursuant to 40 CFR part 77 for offsetting excess emissions of sulfur dioxide that have occurred at an affected unit in any calendar year.

(68) "Oil-fired" means the combustion of: fuel oil for more than ten percent of the average annual heat input during the previous three calendar years or for more than fifteen percent of the annual heat input in any one of those calendar years; and any solid, liquid, or gaseous fuel, other than coal or any other coal-derived fuel (except a coal-derived gaseous fuel with a sulfur content no greater than natural gas), for the remaining heat input, if any.

(69) "Operating permit" means a permit issued under 40 CFR part 70 and any other regulations implementing title V of the Act.

(70) "Owner" means any of the following persons:

(a) Any holder of any portion of the legal or equitable title in an affected unit;

(b) Any holder of a leasehold interest in an affected unit; or

(c) Any purchaser of power from an affected unit under a life-of-the-unit, firm power contractual arrangement. However, unless expressly provided for in a leasehold agreement, owner shall not include a passive lessor, or a person who has an equitable interest through such lessor, whose rental payments are not based, either directly or indirectly, upon the revenues or income from the affected unit; or

(d) With respect to any Allowance Tracking System general account, any person identified in the submission required by 40 CFR 73.31(c) that is subject to the binding agreement for the authorized account representative to represent that person's ownership interest with respect to allowances.

(71) "Owner or operator" means any person who is an owner or who operates, controls, or supervises an affected unit or affected source and shall include, but not be limited

to, any holding company, utility system, or plant manager of an affected unit or affected source.

(72) "Permit revision" means a permit modification, fast track modification, administrative permit amendment, or automatic permit amendment, as provided in SWAPCA 406-700 of this regulation.

(73) "Permitting authority" means the Washington Department of Ecology, the Washington Energy Facility Siting Evaluation Council, local air authority or other agency authorized under chapter 70.94 RCW and approved by EPA to carry out a permit program under this chapter.

(74) "Person" means an individual, firm, public or private corporation, association, partnership, political subdivision, municipality, or governmental agency.

(75) "Phase II" means the Acid Rain Program period beginning January 1, 2000, and continuing into the future thereafter.

(76) "Potential electrical output capacity" means the MWe capacity rating for the units which shall be equal to thirty-three percent of the maximum design heat input capacity of the steam generating unit, as calculated according to appendix D of 40 CFR part 72.

(77) "Power distribution system" means the portion of an electricity grid owned or operated by a utility that is dedicated to delivering electric energy to customers.

(78) "Power purchase commitment" means a commitment or obligation of a utility to purchase electric power from a facility pursuant to:

- (a) A power sales agreement;
- (b) A state regulatory authority order requiring a utility to:
 - (i) Enter into a power sales agreement with the facility;
 - (ii) Purchase from the facility; or
 - (iii) Enter into arbitration concerning the facility for the purpose of establishing terms and conditions of the utility's purchase of power;

(c) A letter of intent or similar instrument committing to purchase power (actual electrical output or generator output capacity) from the source at a previously offered or lower price and a power sales agreement applicable to the source is executed within the time frame established by the terms of the letter of intent but no later than November 15, 1992, or, where the letter of intent does not specify a time frame, a power sales agreement applicable to the source is executed on or before November 15, 1992; or

(d) A utility competitive bid solicitation that has resulted in the selection of the qualifying facility of independent power production facility as the winning bidder.

(79) "Power sales agreement" means a legally binding agreement between a qualifying facility, an independent power production facility, or firm associated with such facility and a regulated electric utility that establishes the terms and conditions for the sale of power from the facility to the utility.

(80) "Primary fuel or primary fuel supply" means the main fuel type (expressed in mMBtu) consumed by an affected unit for the applicable calendar year.

(81) "Proposed Acid Rain Permit or proposed permit" means the version of an Acid Rain Permit that SWAPCA submits to the Administrator after the public comment period, but prior to completion of the EPA permit review period under 40 CFR 70.8(c).

(82) "Qualifying facility (QF)" means a "qualifying small power production facility" within the meaning of section 3 (17)(C) of the Federal Power Act or a "qualifying cogeneration facility" within the meaning of section 3 (18)(B) of the Federal Power Act.

(83) "Qualifying power purchase commitment" means a power purchase commitment in effect as of November 15, 1990, without regard to changes to that commitment so long as:

(a) The identity of the electric output purchaser, the identity of the steam purchaser and the location of the facility, remain unchanged as of the date the facility commences commercial operation; and

(b) The terms and conditions of the power purchase commitment are not changed in such a way as to allow the costs of compliance with the Acid Rain Program to be shifted to the purchaser.

(84) "Qualifying repowering technology" means:

(a) Replacement of an existing coal-fired boiler with one of the following clean coal technologies: atmospheric or pressurized fluidized bed combustion, integrated gasification combined cycle, magnetohydrodynamics, direct and indirect coal-fired turbines, integrated gasification fuel cells, or as determined by the Administrator, in consultation with the Secretary of Energy, a derivative of one or more of these technologies, and any other technology capable of controlling multiple combustion emissions simultaneously with improved boiler or generation efficiency and with significantly greater waste reduction relative to the performance of technology in widespread commercial use as of November 15, 1990; or

(b) Any oil- or gas-fired unit that has been awarded clean coal technology demonstration funding as of January 1, 1991, by the Department of Energy.

(85) "Receive or receipt of" means the date the Administrator or SWAPCA comes into possession of information or correspondence (whether sent in writing or by authorized electronic transmission), as indicated in an official correspondence log, or by a notation made on the information or correspondence, by the Administrator or SWAPCA in the regular course of business.

(86) "Recordation, record, or recorded" means, with regard to allowances, the transfer of allowances by the Administrator from one Allowance Tracking System account or subaccount to another.

(87) "Schedule of compliance" means an enforceable sequence of actions, measures, or operations designed to achieve or maintain compliance, or correct non-compliance, with an applicable requirement of the Acid Rain Program, including any applicable Acid Rain Permit requirement.

(88) "Secretary of Energy" means the Secretary of the United States Department of Energy or the Secretary's duly authorized representative.

(89) "Simple combustion turbine" means a unit that is a rotary engine driven by a gas under pressure that is created by the combustion of any fuel. This term includes combined cycle units without auxiliary firing. This term excludes combined cycle units with auxiliary firing, unless the unit did not use the auxiliary firing from 1985 through 1987 and does not use auxiliary firing at any time after November 15, 1990.

(90) "Solid waste incinerator" means a source as defined in section 129 (g)(1) of the Act.

(91) "Source" means any governmental, institutional, commercial, or industrial structure, installation, plant, building, or facility that emits or has the potential to emit any regulated air pollutant under the Act. For purposes of section 502(c) of the Act, a "source", including a "source" with multiple units, shall be considered a single "facility."

(92) "Stack" means a structure that includes one or more flues and the housing for the flues.

(93) "State" means one of the forty-eight contiguous states and the District of Columbia and includes any non-federal authorities, including local agencies, interstate associations, and state-wide agencies with approved state operating permit programs. The term "state" shall have its conventional meaning where such meaning is clear from the context.

(94) "State operating permit program" means an operating permit program that the Administrator has approved as meeting the requirements of titles IV and V of the Act and 40 CFR parts 70 and 72.

(95) "Submit or serve" means to send or transmit a document, information, or correspondence to the person specified in accordance with the applicable regulation:

(a) In person;

(b) By United States Postal Service certified mail with the official postmark or, if service is by the Administrator or SWAPCA, by any other mail service by the United States Postal Service; or

(c) By other means with an equivalent time and date mark used in the regular course of business to indicate the date of dispatch or transmission and a record of prompt delivery. Compliance with any "submission", "service", or "mailing" deadline shall be determined by the date of dispatch, transmission, or mailing and not the date of receipt.

(96) "Ton or tonnage" means any "short ton" (i.e., two thousand pounds). For the purpose of determining compliance with the Acid Rain emissions limitations and reduction requirements, total tons for a year shall be calculated as the sum of all recorded hourly emissions (or the tonnage equivalent of the recorded hourly emissions rates) in accordance with 40 CFR part 75, with any remaining fraction of a ton equal to or greater than one-half ton deemed to equal one ton and any fraction of a ton less than one-half ton deemed not to equal any ton.

(97) "Total planned net output capacity" means the planned generator output capacity, excluding that portion of the electrical power which is designed to be used at the power production facility, as specified under one or more qualifying power purchase commitments or contemporaneous documents as of November 15, 1990.

(98) "Total installed net output capacity" means the generator output capacity, excluding that portion of the electrical power actually used at the power production facility, as installed.

(99) "Unit" means a fossil fuel-fired combustion device.

(100) "Unit account" means an Allowance Tracking System account, established by the Administrator for an affected unit pursuant to 40 CFR 73.31 (a) or (b).

(101) "Utility" means any person that sells electricity.

(102) "Utility competitive bid solicitation" means a public request from a regulated utility for offers to the utility for meeting future generating needs. A qualifying facility, independent power production facility may be regarded as

having been "selected" in such solicitation if the utility has named the facility as a project with which the utility intends to negotiate a power sales agreement.

(103) "Utility regulatory authority" means an authority, board, commission, or other entity (limited to the local-, State-, or federal-level, whenever so specified) responsible for overseeing the business operations of utilities located within its jurisdiction, including, but not limited to, utility rates and charges to customers.

(104) "Utility unit" means a unit owned or operated by a utility:

(a) That serves a generator that produces electricity for sale, or

(b) That during 1985, served a generator that produced electricity for sale.

(c) Notwithstanding paragraphs (a) and (b) of this definition, a unit that was in operation during 1985, but did not serve a generator that produced electricity for sale during 1985, and did not commence commercial operation on or after November 15, 1990, is not a utility unit for purposes of the Acid Rain Program.

(d) Notwithstanding paragraphs (a) and (b) of this definition, a unit that cogenerates steam and electricity is not a utility unit for purposes of the Acid Rain Program, unless the unit is constructed for the purpose of supplying, or commences construction after November 15, 1990, and supplies, more than one-third of its potential electrical output capacity and more than twenty-five (25) MWe output to any power distribution system for sale.

SWAPCA 406-102 Measurements, Abbreviations, and Acronyms

Measurements, abbreviations, and acronyms used in this regulation are defined as follows:

ASTM	-	American Society for Testing and Materials
ATS	-	Allowance Tracking System
Btu	-	British thermal unit
CAAA	-	Clean Air Act Amendments
CFR	-	Code of Federal Regulations
DOE	-	Department of Energy
IPP	-	Independent power production facility
mmBtu	-	million Btu
MWe	-	megawatt electrical
NADB	-	National Allowance Data Base
QF	-	Qualifying facility
RCW	-	Revised Code of Washington
SO ₂	-	sulfur dioxide
SWAPCA	-	Southwest Air Pollution Control Authority
WAC	-	Washington Administrative Code
WDOE	-	Washington Department of Ecology, hereinafter referred to as Ecology

SWAPCA 406-103 Applicability

(1) Each of the following units shall be an affected unit, and any source that includes such a unit shall be an affected source, subject to the requirements of the Acid Rain Program:

(a) A unit listed in Table 1 of 40 CFR 73.10(a).

PERMANENT

(b) An existing unit that is identified in Table 2 or 3 of 40 CFR 73.10 and any other existing utility unit, except a unit under paragraph (2) of this section.

(c) A utility unit, except a unit under paragraph (2) of this section, that:

(i) Is a new unit;

(ii) Did not serve a generator with a nameplate capacity greater than twenty-five (25) MWe on November 15, 1990, but serves such a generator after November 15, 1990.

(iii) Was a simple combustion turbine on November 15, 1990, but adds or uses auxiliary firing after November 15, 1990;

(iv) Was an exempt cogeneration facility under paragraph (2)(d) of this section but during any three calendar year period after November 15, 1990, sold, to a utility power distribution system, an annual average of more than one-third of its potential electrical output capacity and more than two hundred nineteen thousand (219,000) MWe-hrs (i.e., twenty-five (25) MWe times eight thousand seven hundred sixty hours) electric output, on a gross basis;

(v) Was an exempt qualifying facility under paragraph (2)(e) of this section but, at any time after the later of November 15, 1990, or the date the facility commences commercial operation, fails to meet the definition of qualifying facility;

(vi) Was an exempt independent power production facility under paragraph (2)(f) but, at any time after the later of November 15, 1990, or the date the facility commences commercial operation, fails to meet the definition of independent power production facility; or

(vii) Was an exempt solid waste incinerator under paragraph (2)(g) of this section but during any three calendar year period after November 15, 1990, consumes twenty percent or more (on a Btu basis) fossil fuel.

(2) The following types of units are not affected units, and are not subject to the requirements of the Acid Rain Program:

(a) A simple combustion turbine that commenced operation before November 15, 1990.

(b) Any unit that commenced commercial operation before November 15, 1990, and that did not, as of November 15, 1990, and does not currently, serve a generator with a nameplate capacity of greater than twenty-five (25) MWe.

(c) Any unit that, during 1985, did not serve a generator that produced electricity for sale and that did not, as of November 15, 1990, and does not currently, serve a generator that produces electricity for sale.

(d) A cogeneration facility which:

(i) For a unit that commenced construction on or prior to November 15, 1990, was constructed for the purpose of supplying equal to or less than one-third its potential electrical output capacity or equal to or less than two hundred nineteen thousand (219,000) MWe-hrs actual electric output on an annual basis to any utility power distribution system for sale (on a gross basis). If the purpose of construction is not known, it will be presumed to be consistent with the actual operation from 1985 through 1987. However, if in any three calendar year period after November 15, 1990, such unit sells to a utility power distribution system an annual average of more than one-third of its potential electrical output capacity and more than two hundred nineteen thousand (219,000) MWe-hrs actual

electric output (on a gross basis), that unit shall be an affected unit, subject to the requirements of the Acid Rain Program; or

(ii) For units that commenced construction after November 15, 1990, supplies equal to or less than one-third its potential electrical output capacity or equal to or less than two hundred nineteen thousand (219,000) MWe-hrs actual electric output on an annual basis to any utility power distribution system for sale (on a gross basis). However, if in any three calendar year period after November 15, 1990, such unit sells to a utility power distribution system an annual average of more than one-third of its potential electrical output capacity and more than two hundred nineteen thousand (219,000) MWe-hrs actual electric output (on a gross basis), that unit shall be an affected unit, subject to the requirements of the Acid Rain Program.

(e) A qualifying facility that:

(i) Has, as of November 15, 1990, one or more qualifying power purchase commitments to sell at least fifteen percent of its total planned net output capacity; and

(ii) Consists of one or more units designated by the owner or operator with total installed net output capacity not exceeding 130 percent of the total planned net output capacity. If the emissions rates of the units are not the same, the Administrator may exercise discretion to designate which units are exempt.

(f) An independent power production facility that:

(i) Has, as of November 15, 1990, one or more qualifying power purchase commitments to sell at least fifteen percent of its total planned net output capacity; and

(ii) Consists of one or more units designated by the owner or operator with total installed net output capacity not exceeding 130 percent of its total planned net output capacity. If the emissions rates of the units are not the same, the Administrator may exercise discretion to designate which units are exempt.

(g) A solid waste incinerator, if more than eighty percent (on a Btu basis) of the annual fuel consumed at such incinerator is other than fossil fuels. For a solid waste incinerator which began operation before January 1, 1985, the average annual fuel consumption of non-fossil fuels for calendar years 1985 through 1987 must be greater than eighty percent for such an incinerator to be exempt. For a solid waste incinerator which began operation after January 1, 1985, the average annual fuel consumption of non-fossil fuels for the first three years of operation must be greater than eighty percent for such an incinerator to be exempt. If, during any three calendar year period after November 15, 1990, such incinerator consumes twenty percent or more (on a Btu basis) fossil fuel, such incinerator will be an affected source under the Acid Rain Program.

(h) A non-utility unit which is not a utility unit as defined at SWAPCA 406-101.

(3) A certifying official of any unit may petition the Administrator for a determination of applicability under 40 CFR 72.6(c). The Administrator's determination of applicability shall be binding upon SWAPCA, unless the petition is found to have contained significant errors or omissions.

SWAPCA 406-104 New Units Exemption

(1) **Applicability.** This section applies to any new utility unit that serves one or more generators with total nameplate capacity of twenty-five (25) MWe or less and burns only fuels with a sulfur content of five hundredths of one percent (0.05%) or less by weight, as determined in accordance with (4)(a) of this section.

(2) **Petition for Written Exemption.** The designated representative, authorized in accordance with subpart B of 40 CFR part 72, of a source that includes a unit under (1) of this section may petition SWAPCA for a written exemption, or to renew a written exemption, for the unit from certain requirements of the Acid Rain Program. The petition shall be submitted on a form approved by SWAPCA which includes the following elements:

- (a) Identification of the unit.
- (b) The nameplate capacity of each generator served by the unit.
- (c) A list of all fuels currently burned by the unit and their percentage sulfur content by weight, determined in accordance with (1) of this section.
- (d) A list of all fuels that are expected to be burned by the unit and their sulfur content by weight;
- (e) The special provisions in (4) of this section.
- (f) The name of the designated representative, his or her signature, and the date of signature.

(3) SWAPCA's Action

(a)(i) SWAPCA will issue, for any unit meeting the requirements of paragraphs (1) and (2) of this section, a written exemption from the requirements of the Acid Rain Program except for the requirements specified in this section, 40 CFR 72.2 through 72.7, and 40 CFR 72.10 through 72.13; provided that no unit shall be exempted unless the designated representative of the unit surrenders, and the Administrator deducts from the unit's Allowance Tracking System account, allowances pursuant to 40 CFR 72.7 (c)(1)(i) and (d)(1).

(ii) The exemption shall take effect on January 1st of the year immediately following the date on which the written exemption is issued as a final SWAPCA action subject to judicial review, in accordance with paragraph (3)(b) of this section; provided that the owners and operators, and, to the extent applicable, the designated representative, shall comply with the requirements of the Acid Rain Program concerning all years for which the unit was not exempted, even if such requirements arise, or must be complied with, after the exemption takes effect. The exemption shall not be a defense against any violation of such requirements of the Acid Rain Program whether the violation occurs before or after the exemption takes effect.

(b) SWAPCA will consider and either issue or deny a written exemption under paragraph (3)(a) of this section by applying the procedures for Acid Rain Permit Issuance in SWAPCA 406-600 as if the Petition for Written Exemption were an Acid Rain Permit application, with regard to completeness determination, draft written exemption, administrative record, statement of basis, public notice and comment period, public hearing, proposed written exemption, written exemption issuance, exemption revision and appeal procedures as provided by SWAPCA 406-600 and SWAPCA 406-700. No provision under SWAPCA 406-600 concerning

the content, effective date, or term of an Acid Rain Permit shall apply to the written exemption or proposed written exemption under this section.

(c) A written exemption issued under this section shall have a term of five (5) years from its effective date, except as provided in paragraph (4)(c) of this section.

(4) Special Provisions.

(a) The owners and operators of each unit exempted under this section shall determine the sulfur content by weight of its fuel as follows:

(i) For petroleum or petroleum products that the unit burns starting on the first day on which the exemption takes effect until the exemption terminates, a sample of each delivery of such fuel shall be tested using ASTM methods ASTM D4057-88 and ASTM D129-91, ASTM D2622-92, or ASTM D4294-90.

(ii) For natural gas that the unit burns starting on the first day on which the exemption takes effect until the exemption terminates, the sulfur content shall be documented to be five hundredths of one percent (0.05%) or less by weight.

(iii) For gaseous fuel (other than natural gas) that the unit burns starting on the first day on which the exemption takes effect until the exemption terminates, a sample of each delivery of such fuel shall be tested using ASTM methods ASTM D1072-90 and ASTM D1265-92; provided that if the gaseous fuel is delivered by pipeline to the unit, a sample of the fuel shall be tested, at least once every quarter in which the unit operates during any year for which the exemption is in effect, using ASTM method ASTM D1072-90.

(b) The owners and operators of each unit exempted under this section shall retain at the source that includes the unit, the records of the results of the tests performed under paragraph (4)(a)(i) and (iii) of this section, a copy of documentation produced under paragraph (4)(a)(ii) of this section, and a copy of the purchase agreements for the fuel under paragraph (4)(a) of this section, stating the sulfur content of such fuel. Such records and documents shall be retained for five (5) years from the date they are created.

(c) On the earlier of the date the written exemption expires, the date a unit exempted under this section burns any fuel with a sulfur content in excess of five hundredths of one percent (0.05%) by weight (as determined in accordance with paragraph (4)(a) of this section), or twenty-four months prior to the date the unit first serves one or more generators with total nameplate capacity in excess of twenty-five (25) MWe, the unit shall no longer be exempted under this section and shall be subject to all requirements of the Acid Rain Program, except that:

(i) Notwithstanding SWAPCA 406-301 (2) and (3), the designated representative of the source that includes the unit shall submit a complete Acid Rain Permit application on the later of January 1, 1998 or the date the unit is no longer exempted under this section.

(ii) For purposes of applying monitoring requirements under 40 CFR part 75, the unit shall be treated as a new unit that commenced commercial operation on the date the unit no longer meets the requirements of (1) of this section.

SWAPCA 406-105 Retired Units Exemption

(1) **Applicability.** This section applies to any affected unit that is retired prior to the issuance (including renewal) of an Acid Rain Permit for the unit as a final SWAPCA action.

(2) Petition for Written Exemption.

(a) The designated representative, authorized in accordance with subpart B of 40 CFR part 72, of a source that includes a unit under paragraph (1) of this section may petition SWAPCA for a written exemption, or to renew a written exemption, for the unit from certain requirements of the Acid Rain Program.

(b) A petition under this section shall be submitted on or before:

(i) The deadline for submitting an Acid Rain Permit application for Phase II; or

(ii) If the unit has a Phase II Acid Rain Permit, the deadline for reapplying for such permit.

(c) The petition under this section shall be submitted on a form approved by SWAPCA which includes the following elements:

(i) Identification of the unit;

(ii) The applicable deadline under paragraph (2)(b) of this section;

(iii) The actual or expected date of retirement of the unit;

(iv) The following statement: "I certify that this unit ('is' or 'will be', as applicable) permanently retired on the date specified in this petition and will not emit any sulfur dioxide or nitrogen oxides after such date;"

(v) A description of any actions that have been or will be taken and provide the basis for the certification in paragraph (2)(c)(iv) of this section;

(vi) The special provisions in paragraph (4) of this section; and

(vii) The name of the designated representative, his or her signature, and the date of signature.

(3) SWAPCA's Action.

(a)(i) SWAPCA will issue, for any unit meeting the requirements of paragraphs (1) and (2) of this section, a written exemption from the requirements of SWAPCA 406-100 through 406-800 and 40 CFR part 72 except for the requirements specified in this section and 40 CFR 72.1 through 72.6, 40 CFR 72.8, and 40 CFR 72.10 through 72.13.

(ii) The exemption shall take effect on January 1st of the year following the date on which the written exemption is issued as a final SWAPCA action subject to judicial review, in accordance with paragraph (3)(b) of this section; provided that the owners and operators, and, to the extent applicable, the designated representative, shall comply with the requirements of SWAPCA 406-100 through 406-800 and 40 CFR part 72 concerning all years for which the unit was not exempted, even if such requirements arise or must be complied with after the exemption takes effect. The exemption shall not be a defense against any violation of such requirements of the Acid Rain Program whether the violation occurs before or after the exemption takes effect.

(b) SWAPCA will consider and either issue or deny a written exemption under paragraph (3)(a) of this section by applying the procedures for Acid Rain Permit Issuance in

SWAPCA 406-600 as if the Petition for Written Exemption were an Acid Rain Permit application, with regard to completeness determination, draft written exemption, administrative record, statement of basis, public notice and comment period, public hearing, proposed written exemption, written exemption issuance, exemption revision and appeal procedures as provided by SWAPCA 406-600 and SWAPCA 406-700. No provision under SWAPCA 406-600 concerning the content, effective date, or term of an Acid Rain Permit shall apply to the written exemption or proposed written exemption under this section.

(c) A written exemption issued under this section shall have a term of five (5) years, except as provided in (4)(c) of this section.

(4) Special Provisions

(a) A unit exempted under this section shall not emit any sulfur dioxide and nitrogen dioxide starting on the date it is exempted.

(b) The owners and operators of a unit exempted under this section shall comply with monitoring requirements in accordance with 40 CFR part 75 and will be allocated allowances in accordance with 40 CFR part 73.

(c) A unit exempted under this section shall not resume operation unless the designated representative of the source that includes the unit submits an Acid Rain Permit application for the unit not less than twenty-four months prior to the later of January 1, 2000 or the date the unit is to resume operation. On the earlier of the date the written exemption expires or the date an Acid Rain Permit application is submitted or is required to be submitted under this paragraph, the unit shall no longer be exempted under this section and shall be subject to all requirements of SWAPCA 406-100 through 406-800 and 40 CFR part 72.

SWAPCA 406-106 Standard Requirements**(1) Permit Requirements**

(a) The designated representative of each affected source and each affected unit at the source shall:

(i) Submit a complete Acid Rain Permit application under this part in accordance with the deadlines specified in SWAPCA 406-301;

(ii) Submit in a timely manner any supplemental information that SWAPCA determines is necessary in order to review an Acid Rain Permit application and issue or deny an Acid Rain Permit.

(b) The owners and operators of each affected source and each affected unit at the source shall:

(i) Operate the unit in compliance with a complete Acid Rain Permit application or a superseding Acid Rain Permit issued by SWAPCA; and

(ii) Have an Acid Rain Permit.

(2) Monitoring Requirements

(a) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements pursuant to 40 CFR part 75 and section 407 of the Act and regulations implementing section 407 of the Act.

(b) The emissions measurements recorded and reported in accordance with 40 CFR part 75 and section 407 of the Act and regulations implementing section 407 of the Act shall be used to determine compliance by the unit with the

Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.

(c) The requirements of 40 CFR part 75 and regulations implementing section 407 of the Act shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act, applicable requirements of WAC 173, and other provisions of the Air Operating Permit for the source.

(3) Sulfur Dioxide Requirements

(a) The owners and operators of each source and each affected unit at the source shall:

(i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and

(ii) Comply with the applicable Acid Rain emissions limitation for sulfur dioxide.

(b) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.

(c) An affected unit shall be subject to the requirements under paragraph (3)(a) of this section as follows:

(i) Starting January 1, 2000, an affected unit under SWAPCA 406-103 (1)(b); or

(ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under SWAPCA 406-103 (1)(c).

(d) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.

(e) An allowance shall not be deducted, in order to comply with the requirements under paragraph (3)(a)(i) of this section, prior to the calendar year for which the allowance was allocated.

(f) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain Permit application, the Acid Rain Permit, or the written exemption under SWAPCA 406-104 and 406-105 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.

(g) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

(4) **Nitrogen Oxides Requirements.** The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

(5) Excess Emissions Requirements

(a) The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan to the Administrator, as required under 40 CFR part 77, and submit a copy to SWAPCA.

(b) The owners and operators of an affected unit that has excess emissions in any calendar year shall:

(i) Pay to the Administrator without demand the penalty required, and pay to the Administrator upon demand the interest on that penalty, as required by 40 CFR part 77; and

(ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

(6) Record Keeping and Reporting Requirements

(a) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of five (5) years from the date the document is created.

(i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative.

(ii) All emissions monitoring information, in accordance with 40 CFR part 75.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program.

(iv) Copies of all documents used to complete an Acid Rain Permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

(b) The five year document retention period in (a) may be extended for cause, at any time prior to the end of five (5) years, in writing by the Administrator or SWAPCA.

(c) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under SWAPCA 406-800 and 40 CFR part 75.

(7) Liability

(a) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain Permit application, an Acid Rain Permit, or a written exemption under SWAPCA 406-104 or 406-105, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement by the Administrator pursuant to section 113(c) of the Act and by SWAPCA pursuant to RCW 70.94.431 and 70.94.435.

(b) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement by the Administrator pursuant to section 113(c) of the Act and 18 U.S.C. 1001 and by SWAPCA pursuant to RCW 70.94.430.

(c) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.

(d) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.

(e) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.

(f) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply

to the owners and operators of such unit. Except as provided under SWAPCA 406-402 (Phase II repowering extension plans), section 407 of the Act and regulations implementing section 407 of the Act, and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.

(g) Each violation of a provision of SWAPCA 406-100 through 406-1000 and 40 CFR parts 72, 73, 75, 77, and 78, and regulations implementing sections 407 and 410 of the Act by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

(8) Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain Permit application, an Acid Rain Permit, or a written exemption under SWAPCA 406-104 or 406-105 shall be construed as:

(a) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;

(b) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;

(c) Requiring a change of any kind in any state law regulating electric utility rates and charges, affecting any state law regarding such state regulation, or limiting such state regulation, including any prudence review requirements under such state law;

(d) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or

(e) Interfering with or impairing any program for competitive bidding for power supply in a state in which such program is established.

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.

PART II DESIGNATED REPRESENTATIVE

SWAPCA 406-200 Designated Representative

SWAPCA 406-201 Submissions

(1) The designated representative shall submit a certificate of representation, and any superseding certificate of representation, to the Administrator in accordance with subpart B of 40 CFR part 72 and, concurrently, shall submit a copy to SWAPCA. Whenever the term "designated representative" is used in this regulation, the term shall be construed to include the alternate designated representative.

(2) Each submission under the Acid Rain Program shall be submitted, signed, certified and dated by the designated representative for all sources on behalf of which the submission is made.

(3) In each submission under the Acid Rain Program, the designated representative shall certify, by his or her signature:

(a) The following statement, which shall be included verbatim in such submission: "I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made."

(b) The following statement, which shall be included verbatim in such submission: "I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

(4) SWAPCA will accept or act on a submission made on behalf of owners or operators of an affected source and an affected unit only if the submission has been made, signed, and certified in accordance with paragraphs (2) and (3) of this section.

(5)(a) The designated representative of a source shall serve notice on each owner and operator of the source and of an affected unit at the source:

(i) By the date of submission, of any Acid Rain Program submissions by the designated representative;

(ii) Within ten business days of receipt of a determination, of any written determination by the Administrator or SWAPCA; and

(iii) Provided that the submission or determination covers the source or the unit.

(b) The designated representative of a source shall provide each owner and operator of an affected unit at the source a copy of any submission or determination under paragraph (5)(a) of this section, unless the owner or operator expressly waives the right to receive such a copy.

SWAPCA 406-202 Objections

(1) Except as provided in 40 CFR 72.23, no objection or other communication submitted to the Administrator or SWAPCA concerning the authorization, or any submission, action or inaction, of the designated representative shall affect any submission, action, or inaction of the designated representative, or the finality of any decision by SWAPCA, under the Acid Rain Program. In the event of such communication, SWAPCA is not required to stay any submission or the effect of any action or inaction under the Acid Rain Program.

(2) SWAPCA will not adjudicate any private legal dispute concerning the authorization or any submission, action, or inaction of any designated representative, including private legal disputes concerning the proceeds of allowance transfers.

**PART III
APPLICATIONS**

SWAPCA 406-300 Acid Rain Permit Applications

SWAPCA 406-301 Requirement to Apply

(1) Duty to apply. The designated representative of any source with an affected unit shall submit a complete Acid Rain Permit application by the applicable deadline in paragraphs (2) and (3) of this section, and the owners and operators of such source and any affected unit at the source shall not operate the source or unit without a permit that states its Acid Rain Program requirements.

(2) Deadlines

(a) For any source with an existing unit described under SWAPCA 406-103 (1)(b), the designated representative shall submit a complete Acid Rain Permit application governing such unit to SWAPCA on or before January 1, 1996.

(b) For any source with a new unit described under SWAPCA 406-103 (1)(c)(i), the designated representative shall submit a complete Acid Rain Permit application governing such unit to SWAPCA at least twenty-four months before the later of January 1, 2000, or the date on which the unit commences operation.

(c) For any source with a unit described under SWAPCA 406-103 (1)(c)(ii), the designated representative shall submit a complete Acid Rain Permit application governing such unit to SWAPCA at least twenty-four months before the later of January 1, 2000, or the date on which the unit begins to serve a generator with a nameplate capacity greater than twenty-five (25) MWe.

(d) For any source with a unit described under SWAPCA 406-103 (1)(c)(iii), the designated representative shall submit a complete Acid Rain Permit application governing such unit to SWAPCA at least twenty-four months before the later of January 1, 2000, or the date on which the auxiliary firing commences operation.

(e) For any source with a unit described under SWAPCA 406-103 (1)(c)(iv), the designated representative shall submit a complete Acid Rain Permit application governing such unit to SWAPCA before the later of January 1, 1998, or March 1st of the year following the three calendar year period in which the unit sold to a utility power distribution system an annual average of more than one-third of its potential electrical output capacity and more than two hundred nineteen thousand (219,000) MWe-hrs actual electric output (on a gross basis).

(f) For any source with a unit described under SWAPCA 406-103 (1)(c)(v), the designated representative shall submit a complete Acid Rain Permit application governing such unit to SWAPCA before the later of January 1, 1998, or March 1st of the year following the calendar year in which the facility fails to meet the definition of qualifying facility.

(g) For any source with a unit described under SWAPCA 406-103 (1)(c)(vi), the designated representative shall submit a complete Acid Rain Permit application governing such unit to SWAPCA before the later of January 1, 1998, or March 1st of the year following the calendar year in which the facility fails to meet the definition of an independent power production facility.

(h) For any source with a unit described under SWAPCA 406-103 (1)(c)(vii), the designated representative shall submit a complete Acid Rain Permit application governing such unit to SWAPCA before the later of January 1, 1998, or March 1st of the year following the three calendar year period in which the incinerator consumed twenty percent or more fossil fuel (on a Btu basis).

(3) Duty to Reapply. The designated representative shall submit a complete Acid Rain Permit application for each source with an affected unit at least six months or more but not to exceed eighteen months, as may be approved by SWAPCA, prior to the expiration of an existing Acid Rain Permit governing the unit to ensure that the existing Acid Rain Permit does not expire prior to renewal.

(4) The original and three copies of all permit applications shall be submitted to SWAPCA.

SWAPCA 406-302 Information Requirements for Acid Rain Permit Applications

(1) Complete Permit Application. A complete Acid Rain Permit application shall be submitted on a form approved by SWAPCA, which includes the following elements:

(a) Identification of the affected source for which the permit application is submitted;

(b) Identification of each affected unit at the source for which the permit application is submitted;

(c) A complete compliance plan for each unit, in accordance with SWAPCA 406-400;

(d) The standard requirements under SWAPCA 406-106;

(e) If the unit is a new unit, the date that the unit has commenced or will commence operation and the deadline for monitor certification; and

(f) The name of the designated representative, his or her signature, and the date of signature.

SWAPCA 406-303 Permit Application Shield and Binding Effect of Permit Application

(1) Permit Application Shield

(a) Once a designated representative submits a timely and complete Acid Rain Permit application, the owners and operators of the affected source and the affected units covered by the permit application shall be deemed in compliance with the requirement to have an Acid Rain Permit under SWAPCA 406-106 (1)(b) and 406-301(1); provided that any delay in issuing an Acid Rain Permit is not caused by the failure of the designated representative to submit in a complete and timely fashion supplemental information, as required by SWAPCA, necessary to issue a permit.

(b) Prior to the date on which an Acid Rain Permit is issued as a final SWAPCA action subject to judicial review, an affected unit governed by and operated in accordance with the terms and requirements of a timely and complete Acid Rain Permit application shall be deemed to be operating in compliance with the Acid Rain Program.

(c) A complete Acid Rain Permit application shall be binding on the owners and operators and the designated representative of the affected source and the affected units covered by the permit application and shall be enforceable as an Acid Rain Permit from the date of submission of the

permit application until the issuance or denial of such permit as a final SWAPCA action subject to judicial review.

PART IV COMPLIANCE PLAN

SWAPCA 406-400 Acid Rain Compliance Plan and Compliance Options

SWAPCA 406-401 General

(1) For each affected unit included in an Acid Rain Permit application, a complete compliance plan shall include:

(a) For sulfur dioxide emissions, a certification that, as of the allowance transfer deadline, the designated representative will hold allowances in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c) not less than the total annual emissions of sulfur dioxide from the unit. The compliance plan may also specify, in accordance with SWAPCA 406-400, one or more of the Acid Rain compliance options.

(b) For nitrogen oxides emissions, a certification that the unit will comply with the applicable limitation established by regulations implementing section 407 of the Act or shall specify one or more Acid Rain compliance options, in accordance with section 407 of the Act and regulations implementing section 407.

(2) The compliance plan may include a multi-unit compliance option under SWAPCA 406-402 or section 407 of the Act or regulations implementing section 407.

(a) A plan for a compliance option that includes units at more than one affected source shall be complete only if:

(i) Such plan is signed, certified and dated by the designated representative for each source with an affected unit governed by such plan; and

(ii) A complete permit application is submitted covering each unit governed by such plan.

(b) SWAPCA's approval of a plan under paragraph (2)(a) of this section that includes units in more than one state shall be final only after every permitting authority with jurisdiction over any such unit has approved the plan with the same modifications or conditions, if any.

(3) Conditional Approval. In the compliance plan, the designated representative of an affected unit may propose, in accordance with SWAPCA 406-400, any Acid Rain compliance option for conditional approval; provided that an Acid Rain compliance option under section 407 of the Act may be conditionally proposed only to the extent provided in regulations implementing section 407 of the Act.

(a) To activate a conditionally-approved Acid Rain compliance option, the designated representative shall notify SWAPCA in writing that the conditionally-approved compliance option will actually be pursued beginning January 1st of a specified year. Such notification shall be subject to the limitations on activation under SWAPCA 406-402 and regulations implementing section 407 of the Act. If the conditionally approved compliance option includes a plan described in paragraph (2)(a) of this section, the designated representative of each source governed by the plan shall sign and certify the notification.

(b) The notification under paragraph (3)(a) of this section shall specify the first calendar year and the last calendar year for which the conditionally approved Acid Rain compliance option is to be activated. A conditionally

approved compliance option shall not be activated after the date of any enforceable milestone applicable to the compliance option. The date of activation of the compliance option shall not be a defense against failure to meet the requirements applicable to that compliance option during each calendar year for which the compliance option is activated.

(c) Upon submission of a notification meeting the requirements of paragraphs (3)(a) and (b) of this section, the conditionally-approved Acid Rain compliance option becomes binding on the owners and operators and the designated representative of any unit governed by the conditionally-approved compliance option.

(d) A notification meeting the requirements of paragraphs (3)(a) and (b) of this section will revise the unit's permit in accordance with SWAPCA 406-704 (administrative permit amendment).

(4) Termination of Compliance Option

(a) The designated representative for a unit may terminate an Acid Rain compliance option by notifying SWAPCA in writing that an approved compliance option will be terminated beginning January 1st of a specified year. Such notification shall be subject to the limitations on termination under SWAPCA 406-402 and regulations implementing section 407 of the Act. If the compliance option includes a plan described in paragraph (2)(a) of this section, the designated representative for each source governed by the plan shall sign and certify the notification.

(b) The notification under paragraph (4)(a) of this section shall specify the calendar year for which the termination will take effect.

(c) Upon submission of a notification meeting the requirements of paragraphs (4)(a) and (b) of this section, the termination becomes binding on the owners and operators and the designated representative of any unit governed by the Acid Rain compliance option to be terminated.

(d) A notification meeting the requirements of paragraphs (4)(a) and (b) of this section will revise the unit's permit in accordance with SWAPCA 406-704 (administrative permit amendment).

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.

SWAPCA 406-402 Repowering Extensions

(1) Applicability

(a) This section shall apply to the designated representative of:

(i) Any existing affected unit that is a coal-fired unit and has a 1985 actual SO₂ emissions rate equal to or greater than one and two tenths (1.2) lbs/mmBtu; or

(ii) Any new unit that will be a replacement unit, as provided in paragraph (2)(b) of this section, for a unit meeting the requirements of paragraph (1)(a)(i) of this section; or

(iii) Any oil and/or gas-fired unit that has been awarded clean coal technology demonstration funding as of January 1, 1991, by the Secretary of Energy.

(b) A repowering extension does not exempt the owner or operator for any unit governed by the repowering plan from the requirement to comply with such unit's Acid Rain emissions limitations for sulfur dioxide.

(2) The designated representative of any unit meeting the requirements of paragraph (1)(a)(i) of this section may include in the unit's Acid Rain Permit application a repowering extension plan that includes a demonstration that:

(a) The unit will be repowered with a qualifying repowering technology in order to comply with the emissions limitations for sulfur dioxide; or

(b) The unit will be replaced by a new utility unit that has the same designated representative and that is located at a different site using a qualified repowering technology and the existing unit will be permanently retired from service on or before the date on which the new utility unit commences commercial operation.

(3) In order to apply for a repowering extension, the designated representative of a unit under paragraph (1) of this section shall:

(a) Submit to SWAPCA, by January 1, 1996, a complete repowering extension plan;

(b) Submit to the Administrator before June 1, 1997, a complete petition for approval of repowering technology in accordance with 40 CFR 72.44(d) and submit a copy to SWAPCA; and

(c) If the repowering extension plan is submitted for conditional approval, submit to SWAPCA by December 31, 1997, a notification to activate the plan in accordance with SWAPCA 406-401(3).

(4) Contents of Repowering Extension Plan. A complete repowering extension plan shall include the following elements:

(a) Identification of the existing unit governed by the plan.

(b) The unit's federally-approved State Implementation Plan sulfur dioxide emissions limitation.

(c) The unit's 1995 actual SO₂ emissions rate, or best estimate of the actual emissions rate; provided that the actual emissions rate is submitted to SWAPCA by January 30, 1996.

(d) A schedule for construction, installation, and commencement of operation of the repowering technology approved or submitted for approval under 40 CFR 72.44(d) with dates for the following milestones:

(i) Completion of design engineering;

(ii) For a plan under paragraph (2)(a) of this section, removal of the existing unit from operation to install the qualified repowering technology;

(iii) Commencement of construction;

(iv) Completion of construction;

(v) Start-up testing;

(vi) For a plan under paragraph (2)(b) of this section, shutdown of the existing unit; and

(vii) Commencement of commercial operation of the repowering technology.

(e) For a plan under paragraph (2)(b) of this section:

(i) Identification of the new unit. A new unit shall not be included in more than one repowering extension plan.

(ii) Certification that the new unit will replace the existing unit.

(iii) Certification that the new unit has the same designated representative as the existing unit.

(iv) Certification that the existing unit will be permanently retired from service on or before the date the new unit commences commercial operation.

(f) The special provisions of paragraph (7) of this section.

(5) SWAPCA's Action on Repowering Extension Plan

(a) SWAPCA will not approve a repowering extension plan until the Administrator makes a conditional determination that the technology is a qualified repowering technology, unless SWAPCA approves such plan subject to the conditional determination of the Administrator.

(b) Permit Issuance.

(i) Upon a conditional determination by the Administrator that the technology to be used in the repowering extension plan is a qualified repowering technology and a determination by SWAPCA that such plan meets the requirements of this section, SWAPCA will issue the Acid Rain portion of the Air Operating Permit including:

(A) The approved repowering extension plan; and

(B) A schedule of compliance with enforceable milestones for construction, installation, and commencement of operation of the repowering technology and other requirements necessary to ensure that emission reduction requirements under this section will be met.

(ii) Except as otherwise provided in paragraph (6) of this section, the repowering extension shall be in effect starting January 1, 2000, and ending on the day before the date (specified in the Acid Rain Permit) on which the existing unit will be removed from operation to install the qualifying repowering technology or will be permanently removed from service for replacement by a new unit with such technology; provided that the repowering extension shall end no later than December 31, 2003.

(iii) The portion of the Air Operating Permit specifying the repowering extension and other requirements under paragraph (5)(b)(i) of this section shall be subject to the Administrator's final determination, under 40 CFR 72.44 (d)(4), that the technology to be used in the repowering extension plan is a qualifying repowering technology.

(c) Allowance Allocation. Allowances will be allocated in accordance with 40 CFR 72.44 (f)(3) and (g).

(6) Failed Repowering Projects

(a)(i) If, at any time before the end of the repowering extension under paragraph (5)(b)(ii) of this section, the designated representative of a unit governed by an approved repowering extension plan submits the notification under SWAPCA 406-802(4) that the owners and operators have decided to terminate efforts to properly design, construct, and test the repowering technology specified in the plan before completion of construction or start-up testing, the designated representative may submit to SWAPCA a proposed permit modification demonstrating that such efforts were in good faith. If such demonstration is to the satisfaction of the Administrator, the unit shall not be deemed in violation of the Act because of such a termination and SWAPCA will revise the Air Operating Permit in accordance with paragraph (6)(a)(ii) of this section.

(ii) Regardless of whether notification under paragraph (6)(a)(i) of this section is given, the repowering extension will end beginning on the earlier of the date of such notification or the date by which the designated representative was required to give such notification under SWAPCA 406-802(4).

(b) The designated representative of a unit governed by an approved repowering extension plan may submit to

SWAPCA a proposed permit modification demonstrating that the repowering technology specified in the plan was properly constructed and tested on such unit but was unable to achieve the emissions reduction limitations specified in the plan and that it is economically or technologically infeasible to modify the technology to achieve such limits. In order to be properly constructed and tested, the repowering technology shall be constructed at least to the extent necessary for direct testing of the multiple combustion emissions (including sulfur dioxide and nitrogen oxides) from such unit while operating the technology at nameplate capacity. If such demonstration is to the satisfaction of the Administrator,

(i) The unit shall not be deemed in violation of the Act because of such failure to achieve the emissions reduction limitations;

(ii) SWAPCA will revise the Acid Rain portion of the Air Operating Permit in accordance with the following:

(A) The existing unit may be retrofitted or repowered with another clean coal or other available control technology; and

(B) The repowering extension will continue in effect until the earlier of the date the existing unit commences commercial operation with such control technology or December 31, 2003.

(7) Special Provisions

(a) Emissions Limitations.

(i) Sulfur Dioxide. Allowances allocated during the repowering extension under paragraphs (5)(c) and (6) of this section to a unit governed by an approved repowering extension plan shall not be transferred to any Allowance Tracking System account other than the unit accounts of other units at the same source as that unit.

(ii) Nitrogen Oxides. Any existing unit governed by an approved repowering extension plan shall be subject to the Acid Rain emissions limitations for nitrogen oxides in accordance with section 407 of the Act and regulations implementing section 407 of the Act beginning on the date that the unit is removed from operation to install the repowering technology or is permanently removed from service.

(iii) No existing unit governed by an approved repowering extension plan shall be eligible for a waiver under section 111(j) of the Act.

(iv) No new unit governed by an approved repowering extension plan shall receive an exemption from the requirements imposed under section 111 of the Act.

(b) Reporting Requirements. Each unit governed by an approved repowering extension plan shall comply with the special reporting requirements of SWAPCA 406-802.

(c) Liability.

(i) The owners and operators of a unit governed by an approved repowering plan shall be liable for any violation of the plan or this section at that or any other unit governed by the plan;

(ii) The units governed by the plan under paragraph (2)(b) of this section shall continue to have a common designated representative until the existing unit is permanently retired under the plan.

(d) Terminations. Except as provided in paragraph (6) of this section, a repowering extension plan shall not be terminated after December 31, 1999.

PART V PERMIT CONTENTS

SWAPCA 406-500 Acid Rain Permit

SWAPCA 406-501 Contents

(1) Each Acid Rain Permit (including any draft or proposed Acid Rain Permit) will contain the following elements:

(a) All elements required for a complete Acid Rain Permit application under SWAPCA 406-302, as approved or adjusted by SWAPCA;

(b) The applicable Acid Rain emissions limitation for sulfur dioxide; and

(c) The applicable Acid Rain emissions limitation for nitrogen oxides.

(2) Each Acid Rain Permit is deemed to incorporate the definitions of terms under SWAPCA 406-101 unless expressly otherwise defined in the permit.

SWAPCA 406-502 Permit Shield

(1) **Permit Shield.** Each affected unit operated in accordance with the Acid Rain Permit that governs the unit and that was issued in compliance with title IV of the Act, as provided in SWAPCA 406-100 through 406-800, 40 CFR parts 72, 73, 75, 77, and 78, and the regulations implementing section 407 of the Act, shall be deemed to be operating in compliance with the Acid Rain Program, except as provided in SWAPCA 406-106 (7)(f).

PART VI PERMIT ISSUANCE

SWAPCA 406-600 Acid Rain Permit Issuance Procedures

SWAPCA 406-601 General

(1) SWAPCA will issue or deny all Acid Rain Permits in accordance with SWAPCA 401, including the completeness determination, draft permit, administrative record, statement of basis, public notice and comment period, public hearing, proposed permit, permit issuance, permit revision, and appeal procedures as provided by SWAPCA 406-600 and 406-700.

SWAPCA 406-602 Completeness

(1) SWAPCA will submit a written notice of application completeness to the Administrator and the designated representative within ten working days following a determination by SWAPCA that the Acid Rain Permit application is complete.

SWAPCA 406-603 Statement of Basis

(1) The statement of basis will briefly set forth significant factual, legal, and policy considerations on which SWAPCA relied in issuing or denying the draft permit.

(2) The statement of basis will include the reasons, and supporting authority, for approval or disapproval of any compliance options requested in the permit application, including references to applicable statutory or regulatory provisions and to the administrative record.

(3) SWAPCA will submit to the Administrator a copy of the draft Acid Rain Permit and the statement of basis and

all other relevant portions of the Air Operating Permit that may affect the draft Acid Rain Permit.

SWAPCA 406-604 Issuance of Acid Rain Permits

(1) Proposed Permit. After the close of the public comment period and within eighteen months of receipt of a complete application, SWAPCA will incorporate all necessary changes and issue or deny a proposed Acid Rain Permit.

(2) SWAPCA will submit the proposed Acid Rain Permit or denial of a proposed Acid Rain Permit to the Administrator in accordance with SWAPCA 401-810 and SWAPCA 401-820, the provisions of which shall be treated as applying to the issuance or denial of a proposed Acid Rain Permit.

(3)(a) Following the Administrator's review of the proposed Acid Rain Permit or denial of a proposed Acid Rain Permit, SWAPCA will incorporate any required changes and issue, or deny the Acid Rain Permit in accordance with SWAPCA 406-500.

(b) No Acid Rain Permit (including a draft or proposed permit) shall be issued unless the Administrator has received a certificate of representation for the designated representative of the source as provided in SWAPCA 406-201 in accordance with subpart B of 40 CFR part 72.

(4) Permit Issuance Deadline and Effective Date

(a) On or before December 31, 1997, SWAPCA will issue an Acid Rain Permit to each affected source whose designated representative submitted a timely and complete Acid Rain Permit application by January 1, 1996, in accordance with SWAPCA 406-201 and meets the requirements of SWAPCA 406-600 and SWAPCA 401.

(b) Nitrogen Oxides. Not later than January 1, 1999, SWAPCA will reopen the Acid Rain Permit to add the Acid Rain Program nitrogen oxides requirements; provided that the designated representative of the affected source submitted a timely and complete Acid Rain Permit application for nitrogen oxides in accordance with SWAPCA 406-201. Such reopening shall not affect the term of the Acid Rain portion of an Air Operating Permit.

(c) Each Acid Rain Permit issued in accordance with (a) of this subsection shall take effect by the later of January 1, 2000, or, where the permit governs a unit under SWAPCA 406-103 (1)(c), the deadline for monitor certification under 40 CFR part 75.

(d) Each Acid Rain Permit shall have a term of five (5) years commencing on its effective date, except to the extent provided under 40 CFR part 72, that the initial issuance may have a shorter period in order to provide coordination with SWAPCA Air Operating Permit requirements.

(e) An Acid Rain Permit shall be binding on any new owner or operator or designated representative of any source or unit governed by the permit.

(5)(a) Each Acid Rain permit shall contain all applicable Acid Rain requirements, shall be a portion of the Air Operating Permit that is complete and segregable from all other air quality requirements, and shall not incorporate information contained in any other documents, other than documents that are readily available.

(b) Invalidation of the Acid Rain portion of an Air Operating Permit shall not affect the continuing validity of the rest of the Air Operating Permit, nor shall invalidation of

any other portion of the Air Operating Permit affect the continuing validity of the Acid Rain portion of the permit.

SWAPCA 406-605 Acid Rain Permit Appeal Procedures

(1) Appeals of the Acid Rain portion of an Air Operating Permit issued by SWAPCA that do not challenge or involve decisions or actions of the Administrator under 40 CFR part 72, 73, 75, 77 and 78 and sections 407 and 410 of the Act and regulations implementing sections 407 and 410 shall be conducted according to the procedures in RCW 43.21. Appeals of the Acid Rain portion of such a permit that challenge or involve such decisions or actions of the Administrator shall follow the procedures under 40 CFR part 78 and section 307 of the Act. Such decisions or actions include, but are not limited to, allowance allocations, determinations concerning alternative monitoring systems, and determinations of whether a technology is a qualifying repowering technology.

(2) No administrative appeal or judicial appeal of the Acid Rain portion of an Air Operating Permit shall be allowed more than thirty days following respectively issuance of the Acid Rain portion that is subject to administrative appeal or issuance of the final SWAPCA action subject to judicial appeal.

(3) The Administrator may intervene as a matter of right in any state administrative appeal of an Acid Rain Permit or denial of an Acid Rain Permit.

(4) No administrative appeal concerning an Acid Rain requirement shall result in a stay of the following requirements:

(a) the allowance allocations for any year during which the appeal proceeding is pending or is being conducted;

(b) any standard requirement under SWAPCA 406-106;

(c) the emissions monitoring and reporting requirements applicable to the affected units at an affected source under 40 CFR part 75;

(d) uncontested provisions of the decision on appeal; and

(e) the terms of a certificate of representation submitted by a designated representative under subpart B of 40 CFR part 72.

(5) SWAPCA will serve written notice on the Administrator of any state administrative or judicial appeal concerning an Acid Rain provision of any Air Operating Permit or denial of an Acid Rain portion of any Air Operating Permit within thirty days of the filing of the appeal.

(6) SWAPCA will serve written notice on the Administrator of any determination or order in a state administrative or judicial proceeding that interprets, modifies, voids, or otherwise relates to any portion of an Acid Rain Permit. Following any such determination or order, the Administrator will have an opportunity to review and veto the Acid Rain Permit or revoke the permit for cause in accordance with SWAPCA 401-810 and SWAPCA 401-820.

PART VII PERMIT REVISIONS

SWAPCA 406-700 Permit Revisions

SWAPCA 406-701 General

(1) SWAPCA 406-700 shall govern revisions to any Acid Rain Permit issued by SWAPCA.

(2) A permit revision may be submitted for approval at any time. No permit revision shall affect the term of the Acid Rain Permit to be revised. No permit revision shall excuse any violation of an Acid Rain Program requirement that occurred prior to the effective date of the revision.

(3) The terms of the Acid Rain Permit shall apply while the permit revision is pending.

(4) Any determination or interpretation by state (including SWAPCA or a state court) modifying or voiding any Acid Rain Permit provision shall be subject to review by the Administrator in accordance with SWAPCA 401-810 and SWAPCA 401-820 as applied to permit modifications, unless the determination or interpretation is an administrative amendment approved in accordance with 406-704.

(5) The standard requirements of SWAPCA 406-106 shall not be modified or voided by a permit revision.

(6) Any permit revision involving incorporation of a compliance option that was not submitted for approval and comment during the permit issuance process, or involving a change in a compliance option that was previously submitted, shall meet the requirements for applying for such compliance option under SWAPCA 406-402 and section 407 of the Act and regulations implementing section 407 of the Act.

(7) For permit revisions not described in SWAPCA 406-702 and 406-703, SWAPCA may, in its discretion, determine which of these sections is applicable.

SWAPCA 406-702 Permit Modifications

(1)(a) Permit modifications shall follow the permit issuance requirements of SWAPCA 406-600, SWAPCA 401-810 and SWAPCA 401-820.

(b) For purposes of applying paragraph (1)(a) of this section, a permit modification shall be treated as an Acid Rain Permit application, to the extent consistent with SWAPCA 406-700.

(2) The following permit revisions are permit modifications:

(a) Relaxation of an excess emission offset requirement after approval of the offset plan by the Administrator;

(b) Incorporation of a final nitrogen oxides alternative emission limitation following a demonstration period;

(c) Determinations concerning failed repowering projects under SWAPCA 406-402 (6)(a)(i) and (b); and

(d) At the option of the designated representative submitting the permit revision, the permit revisions listed in SWAPCA 406-703(2).

SWAPCA 406-703 Fast-track Modifications

(1) Fast-track modifications shall follow the following procedures:

(a) The designated representative shall serve a copy of the fast-track modification on the Administrator, SWAPCA, and any person entitled to a written notice under SWAPCA 401-800. Within five (5) business days of serving such copies, the designated representative shall also give public notice by publication in a newspaper of general circulation

in the area where the source is located or in a state publication designed to give general public notice.

(b) The public shall have a period of thirty days, commencing on the date of publication of the notice, to comment on the fast-track modification. Comments shall be submitted in writing to SWAPCA and to the designated representative.

(c) The designated representative shall submit the fast-track modification to SWAPCA on or before commencement of the public comment period.

(d) Within thirty days of the close of the public comment period, SWAPCA will consider the fast-track modification and the comments received and approve or disapprove, in whole or in part or with changes or conditions as appropriate, or disapprove the modification. A fast-track modification shall be effective immediately upon issuance, in accordance with SWAPCA 401-810 as applied to significant modifications.

(2) The following permit revisions are, at the option of the designated representative submitting the permit revision, either fast-track modifications under this section or permit modifications under SWAPCA 406-702:

(a) Incorporation of a compliance option that the designated representative did not submit for approval and comment during the permit issuance process;

(b) Addition of a nitrogen oxides averaging plan to a permit; and

(c) Changes in a repowering plan, nitrogen oxides averaging plan, or nitrogen oxides compliance deadline extension.

SWAPCA 406-704 Administrative Permit Amendment

(1) Administrative amendments shall follow the procedures set forth at SWAPCA 401-720. SWAPCA will submit the revised portion of the permit to the Administrator within ten working days after the date of final action on the request for an administrative amendment.

(2) The following permit revisions are administrative amendments:

(a) Activation of a compliance option conditionally approved by SWAPCA; provided that all requirements for activation under SWAPCA 406-401(3) and SWAPCA 406-402 are met;

(b) Changes in the designated representative or alternative designated representative; provided that a new certificate of representation is submitted to the Administrator in accordance with subpart B of 40 CFR part 72;

(c) Correction of typographical errors;

(d) Changes in names, addresses, or telephone or facsimile numbers;

(e) Changes in the owners or operators; provided that a new certificate of representation is submitted within thirty days to the Administrator in accordance with subpart B of 40 CFR part 72;

(f) Termination of a compliance option in the permit; provided that all requirements for termination under SWAPCA 406-401(4) shall be met and this procedure shall not be used to terminate a repowering plan after December 31, 1999;

(g) Changes in the date, specified in a new unit's Acid Rain Permit, of commencement of operation or the deadline

for monitor certification, provided that they are in accordance with SWAPCA 406-106;

(h) The addition of or change in a nitrogen oxides alternative emissions limitation demonstration period, provided that the requirements of regulations implementing section 407 of the Act are met; and

(i) Incorporation of changes that the Administrator has determined to be similar to those in (a) through (h) of this section.

SWAPCA 406-705 Automatic Permit Amendment

(1) The following permit revisions shall be deemed to amend automatically, and become a part of the affected unit's Acid Rain Permit by operation of law without any further review:

(a) Upon recordation by the Administrator under 40 CFR part 73, all allowance allocations to, transfers to, and deductions from an affected unit's Allowance Tracking System account; and

(b) Incorporation of an offset plan that has been approved by the Administrator under 40 CFR part 77.

SWAPCA 406-706 Permit Reopenings

(1) As provided in SWAPCA 401-730, SWAPCA will reopen an Acid Rain Permit for cause, including whenever additional requirements become applicable to any affected unit governed by the permit.

(2) In reopening an Acid Rain Permit for cause, SWAPCA will issue a draft permit changing the provisions, or adding the requirements, for which the reopening was necessary. The draft permit shall be subject to the requirements of SWAPCA 406-500 and 406-600.

(3) Any reopening of an Acid Rain Permit shall not affect the term of the permit.

PART VIII COMPLIANCE CERTIFICATION

SWAPCA 406-800 Compliance Certification

SWAPCA 406-801 Annual Compliance Certification Report

(1) **Applicability and Deadline.** For each calendar year in which a unit is subject to the Acid Rain emissions limitations, the designated representative of the source at which the unit is located shall submit to the Administrator and to SWAPCA, within sixty days after the end of the calendar year, an annual compliance certification report for the unit in compliance with 40 CFR 72.90.

(2) The submission of complete compliance certifications in accordance with paragraph (1) of this section and 40 CFR part 75 shall be deemed to satisfy the requirement to submit compliance certifications under SWAPCA 401-600 with regard to the Acid Rain portion of the source's Air Operating Permit.

SWAPCA 406-802 Units with Repowering Extension Plans

(1) **Design and Engineering and Contract Requirements.** No later than January 1, 2000, the designated representative of a unit governed by an approved repowering plan shall submit to the Administrator and SWAPCA:

(a) Satisfactory documentation of a preliminary design and engineering effort.

(b) A binding letter agreement for the executed and binding contract (or for each in a series of executed and binding contracts) for the majority of the equipment to repower the unit using the technology conditionally approved by the Administrator under 40 CFR 72.44 (d)(3).

(c) The letter agreement under paragraph (1)(b) of this section shall be signed and dated by each party and specify:

(i) The parties to the contract;

(ii) The date each party executed the contract;

(iii) The unit to which the contract applies;

(iv) A brief list identifying each provision of the contract;

(v) Any dates to which the parties agree, including construction completion date;

(vi) The total dollar amount of the contract; and

(vii) A statement that a copy of the contract is on site at the source and will be submitted upon written request of the Administrator or SWAPCA.

(2) **Removal From Operation to Repower.** The designated representative of a unit governed by an approved repowering plan shall notify the Administrator and the permitting authority in writing at least sixty days in advance of the date on which the existing unit is to be removed from operation so that the qualified repowering technology can be installed, or is to be replaced by another unit with the qualified repowering technology, in accordance with the plan.

(3) **Commencement of Operation.** Not later than sixty days after the units repowered under an approved repowering plan commences operation at full load, the designated representative of the unit shall submit a report to the Administrator and SWAPCA comparing the actual hourly emissions and percent removal of each pollutant controlled at the unit to the actual hourly emissions and percent removal at the existing unit under the plan prior to repowering, determined in accordance with 40 CFR part 75.

(4) **Decision to Terminate.** If at any time before the end of the repowering extension and before completion of construction and start-up testing, the owners and operators decide to terminate good faith efforts to design, construct, and test the qualified repowering technology on the unit to be repowered under an approved repowering plan, then the designated representative shall submit a notice to the Administrator and SWAPCA by the earlier of the end of the repowering extension or a date within thirty days of such decision, stating the date on which the decision was made.

PART IX NITROGEN OXIDES

SWAPCA 406-900 Nitrogen Oxides Emission Reduction Program (Reserved)

PART X SULFUR DIOXIDE OPT-IN

SWAPCA 406-1000 Sulfur Dioxide Opt-ins (Reserved)

WSR 95-01-003
PERMANENT RULES
HIGHER EDUCATION
COORDINATING BOARD

[Filed December 8, 1994, 10:46 a.m.]

Date of Adoption: November 17, 1994.

Purpose: Amendments modify regulations of the Degree Authorization Act to strengthen exemption eligibility criteria; improve consumer protection and enhance educational standards; clarify scope of act; and streamline application and review process.

Citation of Existing Rules Affected by this Order: WAC 250-61-010 through 250-61-180 amended and new sections added.

Statutory Authority for Adoption: RCW 28B.80.370.

Pursuant to notice filed as WSR 94-17-166 on August 24, 1994.

Effective Date of Rule: Thirty-one days after filing.
 December 8, 1994
 Elson S. Floyd
 Executive Director

AMENDATORY SECTION (Amending WSR 93-01-103, filed 12/17/92, effective 1/17/93)

WAC 250-61-010 Scope and purpose. The Degree Authorization Act, chapter 28B.85 RCW (~~established~~) establishes a requirement that degree-granting institutions operating in Washington obtain authorization from the higher education coordinating board, unless specifically exempted from the authorization requirement by the act. This chapter is promulgated by the board as a supplement to the act in order to establish necessary regulations for the authorization of degree-granting institutions. The standards set forth in this chapter also supplement the federal regulations governing institutions seeking approval from the appropriate Washington state approving agency (Washington higher education coordinating board or Washington work force training and education coordinating board) to offer degrees to persons eligible to receive benefits from the United States Department of Veterans Affairs.

The purpose of the act is to insure fair business practices and adequate quality among degree-granting institutions operating in the state of Washington and to protect citizens against substandard, fraudulent, and deceptive practices.

~~((Institutions seeking approval to offer academic degrees to persons eligible to receive benefits from the United States Department of Veterans' Affairs first must be authorized by the board and/or accredited by a recognized institutional accrediting association.))~~ The act applies to degree programs and academic credit courses offered within the state. The act does not apply to degree programs and academic credit courses offered exclusively from outside the state through individual and private interstate communication.

A degree-granting institution shall not operate, conduct business, grant or offer to grant any courses or degree programs unless the institution has obtained authorization from the board or has been determined by the board to be exempt.

Institutions accredited by any association recognized by the federal government seeking approval to offer degrees to persons eligible to receive benefits from the United States

Department of Veterans Affairs shall first be authorized by the board or exempted under WAC 250-61-060 and shall meet the requirements of the appropriate Washington state approving agency.

Nonaccredited institutions seeking approval to offer degrees to persons eligible to receive benefits from the United States Department of Veterans Affairs shall first be authorized by the board and shall meet the requirements of the appropriate Washington state approving agency.

Institutions seeking approval for their professional education programs from the state board of education first must be accredited by an accrediting association recognized by the federal government and authorized or exempted by the board.

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-020 Previous regulations repealed. Regulations previously adopted by this agency pursuant to chapter 28B.05 are repealed and superseded by this chapter. Degree-granting institutions (~~registered~~) authorized under the previous regulations will be governed by the previous rules and are not required to apply for authorization until the expiration date of such (~~registration~~) authorization. Degree-granting private vocational schools exempted under the previous regulations shall be required to apply for authorization within six months of the effective date of these regulations. Such degree-granting private vocational schools shall also be required to make their proportional initial capitalization contribution into the board's tuition recovery trust fund account at the time of application. Religious institutions exempted under the previous regulations shall be required to apply for religious exemption under these regulations within six months of the effective date of these regulations.

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-030 Delegation and board supervision. (See RCW 28B.80.430.)

(1) Unless otherwise indicated, the board delegates authority for administering the act and these rules to the executive director.

(2) Any action taken pursuant to these rules by the executive director or (~~his~~) designee shall be subject to supervision by the board.

(3) All actions taken by the executive director pursuant to these rules shall be reported periodically to the board for its review (~~and approval~~).

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-040 Duties of executive director. In addition to other administrative responsibilities vested in the executive director of the higher education coordinating board under the act and this chapter, the executive director shall carry out the following administrative responsibilities:

(1) Process authorization applications, fee payments, (~~and~~) bonds or security deposits, to include the denial and issuance of authorization, signed by the executive director.

(2) Cause the payment of any unsatisfied final judgment against an authorized institution, from the resources available through the institution's surety bond or other security deposit.

(3) Upon written notice from an authorized institution, release the surety on the institution's bond or return the institution's security deposit.

~~(4) (Upon written notice from an authorized institution, return the institution's security deposit.~~

~~(5))~~ In the event of impaired liability of the surety upon a bond, notify the institution of suspension until the bond liability in the required amount, unimpaired by unsatisfied judgment claims, shall have been furnished.

~~((6))~~ (5) To the extent that there is a payment by a surety, release the bond to the extent of the payment.

~~((7))~~ (6) Maintain and administer a separate account for authorized degree-granting private vocational schools in the tuition recovery trust fund established under RCW 43.84.092.

(7) Establish and maintain all records called for under the provisions of the act and this chapter.

(8) Maintain a current inventory of degree-granting institutions authorized or exempted under this chapter, including student complaints against such institutions.

(9) The executive director may waive or modify the authorization requirements contained in this chapter for a particular institution if the executive director finds that such waiver or modification will not frustrate the purposes of this chapter and that literal application of this chapter creates a manifestly unreasonable hardship on the institution.

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-050 Definitions. The definitions set forth in this section are intended to supplement the definitions in chapter 28B.85 RCW and shall apply throughout this chapter.

(1) "Act" means the Degree Authorization Act, chapter 28B.85 RCW.

(2) "Board" means the Washington higher education coordinating board.

~~((2))~~ (3) "Executive director" means the executive director of the board or the executive director's designee.

~~((3))~~ (4) "Accrediting association" means a national or regional accrediting association that is recognized by the federal government.

(5) "Degree-granting institution" means an entity that offers educational credentials, instruction, or services prerequisite to or indicative of a degree.

(6) "College" means an institution which offers two-year and/or four-year programs culminating with associate and/or baccalaureate degrees. In some instances, a college may also offer first professional degree programs and/or graduate programs culminating with master's degrees.

(7) "University" means a multi-unit institution with varied educational roles including instruction, promotion of scholarship, preservation and discovery of knowledge, research and public service. Such institutions provide a wide range of undergraduate and graduate studies, programs in professional fields, and may also provide programs leading to the doctorate.

(8) "Private vocational school" means a nonpublic entity that offers postsecondary programs designed to prepare individuals with the skills and training required for employment in a specific trade, occupation, or profession related to the educational program.

(9) "Seminary" means an institution which offers one or more professional programs to candidates for the ministry, rabbinate, or priesthood.

(10) "Degree" means any designation, appellation, letters, or words including but not limited to "associate," "bachelor," "master," "doctor," or "fellow" which signify or purport to signify satisfactory completion of the requirements of an academic program of study beyond the secondary school level.

~~((11))~~ (11) "Associate degree" means a lower division undergraduate degree that requires no fewer than 60 semester hours or 90 quarter hours.

~~((12))~~ (12) "Bachelor's degree" or "baccalaureate degree" means an undergraduate degree that requires no fewer than 120 semester hours or 180 quarter hours.

~~((13))~~ (13) "Master's degree" means a graduate degree that requires no fewer than 24 semester hours or 36 quarter hours beyond the baccalaureate degree.

~~((14))~~ (14) "Doctor's degree" or "doctorate" means a postgraduate degree that requires no fewer than 60 semester hours or 90 quarter hours beyond the baccalaureate degree.

~~((15))~~ (15) "Program of study" means any course or grouping of courses prerequisite to or indicative of a degree.

~~((16))~~ "Degree-granting institution" means an entity that offers educational credentials, instruction, or services prerequisite to or indicative of an academic or professional degree beyond the secondary level.

~~((17))~~ (6) "Recognized institutional accrediting agency" means an agency or association, of regional or national scope, recognized by the council on postsecondary accreditation and the board for purposes of this chapter and published by the board as recognized accrediting agencies under this chapter.

~~((18))~~ (7) (16) "Resident-based instruction" means a course or series of courses or degree programs which are taught by faculty at a specific location where students physically attend the course or program.

(17) "Telecommunication instruction" means a course or series of courses or degree programs which have as their primary mode of delivery television, video, computer, film, or other electronic communications.

(18) "Credit hour" means the unit by which an institution measures its course work. The number of credit hours assigned to a course is defined by the number of hours per week in class and preparation and the number of weeks in a term. One credit hour is usually assigned for three hours of student work per week or its equivalent. The three hours of student work per week is usually comprised of a combination of one hour of lecture and two of homework or three hours of laboratory. Semester and quarter credit hours are the most common systems of measuring course work. A semester credit hour is based on at least a fifteen week calendar or its equivalent. A quarter credit hour is based on at least a ten week calendar or its equivalent.

(19) "Full-time faculty" means personnel who are appointed as such and have an employment agreement related to teaching, research, and/or other aspects of the instructional programs of the institution. These personnel

participate in faculty meetings, staff development activities, and in the design of the curriculum.

(20) "Permanent part-time faculty" means personnel who are appointed as such and have an employment agreement for teaching less than full time. These personnel participate in faculty meetings, staff development activities, and in the design of the curriculum.

(21) "Part-time faculty" means personnel usually assigned to teach one or more specific classes and perform class-related activities.

(22) "To operate" means but is not limited to the following:

(a) Offering courses in person, by correspondence, or electronic media, at any Washington location for degree credit, including electronic courses transmitted into the state of Washington.

(b) Granting or offering to grant degrees in Washington for credit obtained within or outside the state.

(c) Maintaining or advertising a Washington location, mailing address, or telephone number for any purpose or any other function of a degree-granting institution, other than contact with the institution's former students for any legitimate purpose related to their having attended.

~~((8))~~ (23) "To offer" includes, in addition to its usual meanings, to advertise or publicize. "To offer" shall also mean to solicit or encourage any person, directly or indirectly, to perform the act described.

~~((9) The "act" means the Degree Authorization Act, chapter 28B.85 RCW.)~~ (24) "Suspend" means that because of deficiencies, the board interrupts for a stated time the institution's authority to recruit and enroll new students, but it may continue serving currently enrolled students for the remainder of the term.

(25) "Recognized accrediting association" means an association recognized by the higher education coordinating board for purposes of this chapter and recognized by the federal government for purposes of financial aid program eligibility.

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-060 Exemptions. The provisions of this chapter do not apply to:

(1) Honorary credentials clearly designated as such on the front side of the diploma or certificate and awarded by institutions offering other educational credentials in compliance with state law.

(2) Any public college, public university, public community college ~~((or other entity)), or public technical college or institute~~ operating as part of the public ~~((educational))~~ higher education system of this state.

(3) Institutions that have received institutional accreditation from an agency recognized by the board, *Provided:*

~~(a) ((That any nondegree programs offered by the institution have been determined by the commission for vocational education or its successor agency to be in substantial compliance with operational criteria established under chapter 299, Laws of 1986 and chapter 490-861, Washington administrative code; such determinations being effected and reported to the executive director via an~~

~~interagency agreement executed between the respective agencies.~~

~~(b) That a branch campus, extension center, or off-campus facility operating within the state of Washington, which is affiliated with an institution domiciled outside this state, must have separate institutional accreditation as a free-standing institution from a recognized accrediting agency to qualify for this exemption.)~~ The institution has been continuously offering degree program(s) in Washington for fifteen years or more.

(b) The institution was established originally within the state of Washington and has operated as the same organization continuously from that date until the present. An institution is considered to have operated as the same organization continuously if it has no significant alteration of primary location, ownership, or incorporation and no closure involving cessation of substantially all organized instructional and administrative activity.

(c) The institution has been accredited as a degree-granting institution for ten years or more by an accrediting association recognized by the federal government, and maintains such accreditation status.

(d) The institution maintains eligibility to participate in Title IV financial aid programs.

(e) A branch campus, extension center, or off-campus facility operating within the state of Washington, which is affiliated with an institution domiciled outside this state, has continuously offered degree programs in Washington for fifteen years or more; has held separate institutional accreditation as a free-standing institution for ten years or more by a recognized accrediting association, and maintains such accreditation status; maintains eligibility to participate in Title IV financial aid programs.

(4) Institutions offering instruction on a federal enclave solely to federal employees and their dependents. If the institution offers instruction for other persons, the institution shall be subject to authorization.

(5) Tribally controlled Native American colleges.

(6) Institutions which offer program(s) of study whose sole stated objective is training in the religious beliefs of the controlling religious organization and/or preparation of students for occupations that are primarily church-related and are represented in an accurate manner in institutional catalogs and other official publications: *Provided, That an institution's degree programs in title (e.g., bachelor of religious studies, master of divinity, doctorate of ministry), curriculum content, and objectives reflect the strictly religious nature of the institution.* The following procedures shall be employed in the implementation of this subsection:

(a) ((The executive director shall ask the chief administrative officer of any institution that may qualify for an exemption on religious grounds to)) *The chief academic officer shall contact board staff and arrange for a preliminary conference to discuss the religious exemption standards and the application/review procedures.*

(b) The chief academic officer shall forward to the board office a copy of the institution's catalog and/or any other official publications that describe the nature of the institution and its programs. This information shall be used by the executive director to verify the religious exempt status of the institution.

~~((b))~~ (c) A religious institution which is granted an exemption under this regulation shall place the following statement in a prominent position on the front page of any catalog, general bulletins, and course schedules: "The Washington Higher Education Coordinating Board has determined that (name of institution) qualifies for religious exempt status from the Degree Authorization Act for the following programs: (List). Any person desiring information about the requirements of the act or the applicability of those requirements to the institution may contact the board at P.O. Box 43430, Olympia, WA 98504-3430."

(d) A religious institution which is granted a religious exemption is subject to biennial reporting, and maintenance of the conditions under which exemption is granted. Such institutions are prohibited from publicizing that they are accredited, unless they are accredited by an accrediting association recognized by the federal government.

(e) In the case of a religious institution that offers both religious and secular programs of instruction, the requirements of chapter 28B.85 RCW and this chapter shall pertain only to the secular programs of the institution.

~~((e))~~ If the executive director has reasonable cause to believe that certain religious or theological programs offered by a religious institution are not represented in a materially accurate manner in the institution's catalog and other official publications, the executive director shall proceed according to the provisions of this chapter.

~~(5))~~ (f) The executive director shall suspend or revoke an institution's religious exemption if it is found that:

(i) Any statement contained in the application for exemption is untrue.

(ii) The institution has failed to maintain the conditions under which the exemption was granted.

(iii) Advertising or representations made on behalf of and sanctioned by the institution are deceptive or misleading.

(iv) The institution has violated any provision of the religious exemption regulations.

(g) Suspension or revocation shall be made only after the institution has been informed in writing of its deficiencies and has been given a reasonable time to regain compliance.

(7) Institutions not otherwise exempt which offer only workshops and seminars lasting no longer than three calendar days and for which academic credit is not awarded.

AMENDATORY SECTION (Amending WSR 93-01-103, filed 12/17/92, effective 1/17/93)

WAC 250-61-070 Interagency agreement for degree-granting private vocational schools. Degree-granting private vocational schools' (~~nondegree~~) programs shall be regulated pursuant to the terms of an interagency agreement between the higher education coordinating board and the work force training and education coordinating board. As stipulated in the interagency agreement, degree programs shall be regulated by the higher education coordinating board and nondegree programs shall be regulated by the work force training and education coordinating board. Copies of the agreement are available from either agency upon request.

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-080 Authorization standards. These standards form the basis for the review of an institution by the board staff and guide the decisions of the executive director and the board. To receive authorization, the institution shall meet ~~((all of these standards))~~ each of the following requirements for administration, academic programs, and instructional resource and support services in addition to the specific requirements of this chapter.

~~((1))~~ Name: The official name of the institution shall be consistent with and appropriate to the program(s) of study offered.

~~(2)~~ Purpose:

~~(a)~~ The institution shall clearly define its purpose or mission in an official statement which describes its role in higher education.

~~(b)~~ The statement of purpose shall be concise and reflect the official philosophy and practice of the institution.

~~(3)~~ Administration and governance.

~~(a)~~ The institution shall establish and maintain a responsible management strategy and structure for developing policy and oversight of the institution, consistent with its stated purposes.

~~(b)~~ The institution shall have bylaws or policies defining a chain of authority and responsibility.

~~(c)~~ The institution shall follow management practices and controls to maintain standards appropriate to its purpose.

~~(d)~~ Administrators shall normally be graduates of recognized accredited institutions and possess academic and experiential qualifications for their area of responsibility. In unusual circumstances, comparable credentials and extensive work experience shall be considered in lieu of graduation from a recognized accredited institution.

~~(4)~~ Educational programs and curricula.

~~(a)~~ The educational program and curricula shall be related to the purpose of the institution and accurately described in all published materials which refer to such offerings.

~~(b)~~ Admission, retention and degree requirements shall be based on the institution's objectives and consistently applied to each program of study.

~~(i)~~ Admission to an undergraduate program of study by those under age 18 shall normally require a high school diploma or the equivalent.

~~(ii)~~ Admission to a graduate program of study shall normally require a baccalaureate degree or the equivalent, unless the institution can demonstrate, upon request from the board, that these are not the normally accepted practices in a particular field of study.

~~(iii)~~ This subsection is not intended to prohibit early admissions and dual-degree programs for which systematic procedures have been established and published in the institution's catalog.

~~(c)~~ Undergraduate degree programs shall require, as a minimum, 20 percent of the program in general education curricula.

~~(d)~~ Graduate degree programs shall provide for advanced levels of scholarship, research, and competence in the area of specialization.

PERMANENT

(e) Doctoral degree programs shall provide a broad range of advanced course offerings, faculty in ancillary and supporting fields, access to adequate laboratory and research facilities and, a wide range of current reference materials in the subject field.

(f) Home study, correspondence, and electronic media program(s) of study must be comparable in content, faculty, and resources to those offered in residency.

(g) Each curriculum shall provide a sequence of appropriate courses leading to the attainment of competence and educational credentials in the respective area or field of study.

(5) Faculty.

(a) Faculty shall be professionally prepared, with background, degree levels, and experience demonstrably higher than the instructional activities for which they are responsible. As a minimum:

(i) Faculty teaching at the undergraduate degree level shall possess a master's degree or comparable credentials in their assigned program area, unless the institution can demonstrate that these are not the normally accepted practices in a particular field of study.

(ii) Faculty teaching at the graduate degree level shall possess a doctorate degree or comparable credentials and be experienced in directing independent study and research, unless the institution can demonstrate that these are not the normally accepted practices in a particular field of study.

(b) Faculty shall be sufficient in number and kind and in the proportion of full-time and part-time positions to sustain rigorous courses, programs, and services. As a minimum, 20 percent of the curriculum, defined in terms of the number of courses or credit hours necessary for program completion, shall be taught by full-time faculty, unless the institution can demonstrate that these are not the normally accepted practices of the institution given its mission and special characteristics.

(6) Student services.

(a) The institution shall provide student services that support institutional policies and assist students in achieving their educational objectives. As a minimum, the institution shall provide students with programs of counseling, testing, advisement, and orientation.

(b) The institution shall have an orderly system of admission which evaluates the prospective student's intellectual and personal qualifications in relation to the purposes and objectives of the institution.

(c) The institution shall maintain student records in a manner consistent with *A Guide to Adequate Permanent Records and Transcript* of the American Association of Collegiate Registrars and Admission Officers, and right to privacy legislation shall be observed.

(7) Instructional resources.

(a) Instructional support personnel, facilities, equipment, and other learning resources shall be sufficient in size, number, and location to support courses, programs, and services.

(b) The institution's library shall be accessible and contain a collection of books, periodicals and other resource materials sufficient for the educational needs of students and faculty. If the institution does not maintain its own library, there shall be a written agreement with another institution or

organization to provide for faculty and student access to a collection sufficient for the needs of the program(s) of study.

(c) The institution shall be operated in compliance with all applicable ordinances, laws, codes, and rules concerning the safety, health, and access of all persons on its premises.

(8) Finances.

(a) The resources of the institution shall be sufficient to adequately support its programs, activities, and personnel now and in the future.

(b) Financial management and fiscal practices shall be consistent with those set forth in the *College and University Business Administration*, third edition, or such later editions as published.

(9) Evaluation.

(a) Provision shall be made for the continual reassessment of the educational program and the evaluation and improvement of instruction.

(b) All areas of the institution and personnel shall be evaluated periodically to determine their effectiveness in fulfilling institutional objectives.

(10) Publications.

(a) All publications relating to the institution, including catalogs, advertisements, and other communications shall be accurate and not misleading.

(b) Authorized institutions shall provide in a conspicuous place in its catalogs disclosure statements regarding their institutional and specialized accreditation status.

(c) Authorized institutions shall not advertise or publicize that they are approved, recommended, accredited or endorsed in any way by the board.)

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-090 ((Agency exemption)) Administrative requirements. ((The executive director may suspend or modify the authorization requirements contained in this chapter for a particular institution if the executive director finds:

(1) That such suspension or modification will not frustrate the purposes of this chapter.

(2) That the educational services to be offered address a substantial, demonstrated need among residents of the state of Washington or that literal application of this chapter works a manifestly unreasonable hardship on the educational institution.

(3) An application for an agency exemption shall be submitted on a form developed by the executive director.))

(1) Name. The official name of the institution shall be consistent with and appropriate to the program(s) of study offered.

(2) Purpose. The institution shall clearly define its purpose or mission in an official statement which describes its role in higher education. The statement shall reflect the practice of the institution.

(3) Administration and governance. The institution shall be governed by bylaws or policies defining a chain of authority and responsibility.

(a) Administrators shall normally be graduates of recognized accredited institutions and possess academic credentials and prior higher education administrative experience for their area of responsibility.

(b) The main campus of the institution shall have, as a minimum, a chief executive officer, an academic officer, a registrar, a business officer, a student services officer, a library director, and, if financial aid services are offered, a financial aid officer. These officers shall be accessible to students, faculty, and other personnel located at the main campus and at educational sites or centers in Washington.

(i) The chief executive and academic officers shall possess at least the master's degree and experience in college-level management, teaching, and academic administration, unless the institution can demonstrate that these are not the normally accepted standards for an institution offering the same level of instruction.

(ii) The registrar, business, and student services officers shall possess at least the baccalaureate degree and college-level experience in admissions/student records, accounting/managerial services, and student services respectively, unless the institution can demonstrate that these are not the normally accepted standards for an institution offering the same level of instruction.

(iii) The financial aid officer and library director shall possess at least the baccalaureate degree and experience in their assigned areas, unless the institution can demonstrate that these are not the normally accepted standards for an institution offering the same level of instruction.

(c) The institution shall specify an individual who will serve as the principal contact person for each educational site or academic center in Washington. This institutional representative shall be responsible for instructional program coordination and student services.

(d) The institution shall have policies and provisions for the involvement of faculty in the academic affairs, curriculum development, and governance of the institution. The institution also shall have policies and provisions for faculty selection, orientation, teaching load, supervision, evaluation, and professional development.

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-100 ((Catalog)) Academic program requirements. ((1) An institution shall publish a catalog supplemented as necessary by other published materials (a draft copy may be provided for initial application) which shall include at least the following information:

(a) Official name, address, and telephone number of institution.

(b) Identifying data, such as volume number, date of publication, and year(s) for which the catalog is effective.

(c) A statement of purpose, objectives, and educational program of the institution.

(d) A listing of the names of all faculty, showing earned degrees and the institution conferring them; names of administrative officers, owner(s) and/or board.

(e) Specific programs of study, listing the degrees and majors offered, a brief description of each course offering, and the requirements for successful completion of each program.

(f) Admission, retention, and degree completion requirements.

(g) A detailed schedule of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees,

deposits, and all other student charges necessary for the completion of each program of study.

(h) Cancellation and refund policies.

(i) Policies and procedures relative to the granting of credit for experience, along with the maximum amount of credit which can be obtained in this manner.

(j) A statement of the institution's policy on acceptance of transfer credits and credit by examination.

(k) A statement explaining the transferability of the institution's credits to other institutions and the process by which a student may determine whether the institution's credits are transferable to another institution.

(l) Policies and procedures for the development of individualized courses and programs.

(m) A description of the types of financial aid assistance available to students enrolled in the institution.

(n) A description of the auxiliary services available to students enrolled in the institution.

(o) A description of the institution's facilities and equipment.

(p) A table of contents.

(q) An institutional calendar showing legal holidays, beginning and ending dates of each term, and other important dates.

(r) An authorization statement on the cover or front page of the catalog which reads: The (name of institution) is authorized by the Washington higher education coordinating board and meets the requirements and minimum educational standards established for degree-granting institutions under the Degree Authorization Act. Any person desiring information about the requirements of the act or the applicability of those requirements to the institution may contact the board office.

(2) An institutional catalog shall be published at least once every two years and be provided to students at the time of their enrollment.) (1) Educational programs. Each program shall require the completion of a prescribed program of study leading to the attainment of competence in an interdisciplinary area or specific field of study. Programs shall generally meet the guidelines or standards of the accrediting association(s) to which the institution would apply for institutional or program accreditation.

(a) An associate degree shall require at least ninety quarter credits or sixty semester credits. An associate degree intended for occupational preparation shall require, as a minimum, general education requirements consistent with the standards established by the Washington state board for community and technical colleges. The general education requirements of all other associate degrees shall be consistent with the current guidelines of the Washington inter-college relations commission.

(b) The following associate degree designations shall be acceptable:

(i) The associate in arts (A.A.), associate in sciences (A.S.) and associate in arts and sciences (A.A.S.) for programs which emphasize the liberal arts and sciences. These programs generally satisfy the general education requirements for a baccalaureate degree and are transfer oriented.

(ii) The associate in applied technology (A.A.T.), associate in technical arts (A.T.A.), associate in technology (A.T.) and other such applied or technology related degree

designations for programs which emphasize preparation for occupations at the technical level. These programs generally do not satisfy the general education requirements for a baccalaureate degree and are not transfer oriented.

(c) The baccalaureate degree shall require at least one hundred eighty quarter credits, one hundred twenty semester credits, or four full academic years of postsecondary study. The degree shall require approximately two academic years of study in a distinct major and related subjects and, as a minimum, twenty-five percent of the program shall be in general education curricula.

(d) Master's degree programs shall require at least thirty-six quarter credits, twenty-four semester credits, or one full academic year of postgraduate study, specialization in an academic or professional area, and a demonstration of mastery.

(e) The following master's degree designations shall be acceptable:

(i) The master of arts (M.A.) and master of science (M.S.) for programs which advance study and exploration in the discipline. The majority of credit for M.A. and M.S. degrees shall be at the graduate level in the major field.

(ii) The master of business administration (M.B.A.), master of fine arts (M.F.A.), master of education (M.Ed.), etc., for programs which emphasize professional preparation. For students with disparate academic backgrounds, it may be appropriate to require a limited number of introductory courses in the field.

(f) Doctoral degree programs shall provide a broad range of advanced course offerings, faculty in ancillary and supporting fields, access to adequate laboratory and research facilities, and a wide range of current reference materials in the subject field. A doctoral degree shall require at least three full academic years of specialized postbaccalaureate study. To obtain a doctoral degree a student shall be required to demonstrate, through comprehensive examination, the ability to perform research at the level of the professional scholar or perform the work of a professional that involves the highest levels of knowledge and expertise.

(g) The following doctoral degree designations shall be acceptable:

(i) The doctor of philosophy (Ph.D.) degree for programs which are oriented toward original research and require a dissertation.

(ii) A professional doctoral degree (Ed.D., etc.) for programs which emphasize technical knowledge and professional competence and require either a research thesis or a project involving the solution of a substantial problem of professional interest.

(h) Home study, correspondence, and electronic media program(s) of study must be comparable in content, faculty, and resources to those offered in residency, and include regular student-faculty interaction by computer, telephone, mail, face-to-face meetings.

(i) Undergraduate credit for noncollegiate learning may be awarded when validated through a portfolio or similar procedure. The institution shall maintain copies of examinations, portfolios, and evaluations used in this process. Noncollegiate learning credit shall constitute no more than twenty-five percent of an undergraduate degree program.

(j) No credit shall be awarded for noncollegiate learning at the graduate level.

(5) Faculty. Faculty shall be professionally prepared, with background, degree levels, college-level teaching experience demonstrably higher than the instructional activities for which they are responsible. Faculty shall be graduates of accredited institutions and, as a group, the institutions from which they earned their degrees shall be diverse. The composition and qualifications of faculty shall generally meet the standards of the accrediting association(s) to which the institution would apply for institutional or program accreditation.

(a) Faculty teaching at the undergraduate degree level shall possess a master's degree in the assigned or related program area. Faculty assigned to teach in vocational-technical program areas shall possess educational credentials and experience compatible with their teaching assignment.

(b) Faculty teaching at the master's degree level in programs which emphasize advanced study and exploration in a discipline shall possess an earned doctorate in a related field and experience in directing independent study and research. Faculty teaching in master's programs which emphasize professional preparation shall possess, as a minimum, a master's degree and documented achievement in a related field.

(c) Faculty teaching at the doctoral level shall possess an earned doctorate in a related field and experience in teaching and directing independent study and research.

(d) Faculty shall be sufficient in number and kind and in the proportion of full-time and part-time positions to sustain rigorous courses, programs, and services. As a minimum, 20 percent of the curriculum, defined in terms of the number of courses or credit hours necessary for program completion, shall be taught by full-time faculty.

(6) Admissions. Admission requirements shall be based on the institution's objectives and consistently applied to each program of study. Through preenrollment assessments, testing and advising (based on the characteristics of the institution) the institution shall determine the readiness and ability of each student to succeed in his/her degree program. Institutions shall use only those tests reviewed and approved by the United States Department of Education.

High school graduation or the equivalent shall be required for undergraduate admission. A baccalaureate degree or the equivalent shall be required for admission into graduate programs. Special undergraduate admission may be granted, based on the applicant's general educational development.

(7) Enrollment contract. The institution shall discuss all terms and provisions of the enrollment contract with the student prior to the student's execution of the enrollment contract. The enrollment contract shall contain an acknowledgement section directly above the student's signature blank for the student to acknowledge that the institution discussed all terms and provisions of the contract with the student and that the student understands all financial obligations and responsibilities.

(8) Evaluation. The institution shall provide provisions for continual evaluation of educational programs, improvement of instruction, and overall operations of the institution.

(a) Student, alumni, and employer evaluations of the effectiveness of the curricula shall be considered in these evaluations.

(b) All areas of the institution and its employees and authorized programs shall be evaluated periodically by the institution's chief academic officer or designee to determine their effectiveness in fulfilling institutional objectives and meeting the standards set forth in these regulations or implied in the statute. At a minimum, every four years the results of those evaluations shall be submitted to board staff.

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-110 ((Cancellation and refund) Instructional resources and support services requirements. ((1) Each institution shall publish its cancellation and refund policies in clear language that can be easily understood by prospective students. These policies apply to all terminations for any reason, by either party.

(2) The refund policy for resident institutions, as a minimum, shall comply with the following requirements:

(a) An applicant rejected by an institution shall be entitled to a refund of all money paid, less an application fee, not to exceed \$100.00. Said application fee is not refundable and may be retained by the institution in all calculations of refunds required elsewhere in this section.

(b) All money paid by a successful applicant shall be refunded to the applicant if requested in writing within six business days after signing an enrollment agreement or making initial payment, whichever comes later.

(c) If a successful applicant chooses to withdraw after the initial six day period but before the first day of instruction, the applicant shall be entitled to a refund of all money paid, less 10 percent of tuition and fee charges, for the current term.

(d) Starting on the first day of classes and continuing through the first calendar week, the tuition and fee charges retained by the institution shall not exceed 25 percent of the tuition and fees paid for the current term.

(e) Starting on the eighth calendar day and continuing through the fourteenth day, the tuition and fee charges retained by the institution shall not exceed 50 percent of the tuition and fees paid for the current term.

(f) Following completion of the first fourteen days, the institution may retain 100 percent of tuition and fees paid for the current term but shall refund any tuition and fees paid in advance for subsequent terms.

(g) The termination date for refund computation shall be the date on which the student initially requests cancellation or the date on which the institution withdraws a student.

(h) If a student, without written notice to the institution, fails to attend classes for 30 calendar days, the institution shall notify the student in writing that enrollment has been terminated, effective the 30th calendar day, and shall refund tuition and fees according to its published refund policy.

(i) The institution shall provide an exact pro rata refund to the student for any arbitrary and unilateral change by the institution of scheduled times of instruction, reduction in length of instruction, reduction of course content, or other actions that reduce the ratio of instruction to course costs.

(j) All money due the applicant shall be refunded within 30 days after written notice of cancellation or termination.

(3) Correspondence and home study schools must comply with the refund and cancellation policy of the

National Home Study Council accrediting association.) (1) Student services. The institution shall provide adequate services for students in addition to formal instruction. These services normally shall include admissions, advising and guidance, financial assistance, student records, and job placement.

(a) Student records shall be maintained in accordance with the guidelines established by the United States Department of Education.

(b) Students with disabilities shall have access to and reasonable accommodations in all programs for which they are qualified consistent with the provisions of the Americans with Disabilities Act.

(c) Placement services and employment opportunities shall be accurately described.

(d) Financial aid administration and distribution shall be performed according to institutional, state, and federal policies.

(e) Advising and guidance services shall be readily available to students to assist them in program planning, course selection, and other academic activities.

(2) Facilities and academic support resources. The institution shall have space, facilities and equipment, instructional materials, and staff to support quality education and services.

(a) The institution shall comply with all applicable ordinances, laws, codes, and regulations concerning the safety, health, and access of all persons on its premises.

(b) The institution shall provide reasonable accommodations for students and employees with disabilities. The institution shall inform students and employees of local, state, and federal laws regarding discrimination against people with disabilities.

(3) Library. The institution shall provide accessible library resources and facilities to support the educational needs of students and faculty.

(a) If the institution, educational site, or academic center does not maintain its own library on site, it must demonstrate that it can provide sufficient library resources to meet the needs of the program(s) through a written agreement with another institution or organization, or through other mechanisms.

(b) The institution shall provide a biennial library operating budget which appropriates sufficient financial support to sustain library holdings, facilities, and services for the needs of the program(s) of study.

(4) Finances. The institution shall possess and maintain adequate financial resources necessary to sustain its purpose and commitment to students.

(a) The institution shall maintain financial records in conformity to generally accepted accounting principles.

(b) The institution shall be audited annually by an independent certified public accountant according to generally accepted auditing standards.

(5) Recruitment and publications. All publications relating to the institution, including advertisements, catalogs, and other communications shall be accurate and not misleading.

(a) The institution shall provide disclosure statements in its catalog regarding its authorization and accreditation status.

(b) Authorized institutions shall not advertise or publicize that they are approved, recommended, accredited, or otherwise endorsed by the board. Such institutions may only state that they are authorized by the board.

(6) Educational credentials. The institution shall provide accurate and appropriate transcripts of credit for enrolled students and diplomas for graduates.

(a) For each student, the institution shall maintain and make available a transcript that specifies the name of the institution, the name of the student, all courses completed, and an explanation of the institution's evaluation system. Each course entry shall include a title, the number of credits awarded, and a grade or written evaluation. The transcript shall distinguish credits awarded by transfer, for prior learning experience, correspondence, and credit by examination.

(b) The institution shall not be required to make copies of transcripts available unless all tuition and fees and other expenses owed by the student to the institution have been paid.

(c) In addition to transcripts, the institution shall maintain records to document the performance and progress of each student, including, but not limited to: Financial transactions, admissions records, and records of interruption for unsatisfactory progress or conduct. Transcripts, records, and accounts shall be kept permanently after a student has discontinued enrollment.

AMENDATORY SECTION (Amending WSR 93-01-103, filed 12/17/92, effective 1/17/93)

WAC 250-61-120 ((Surety bond requirement.))
Catalog requirements. ~~(((1) The amount of the surety bond or other security acceptable to the executive director shall be ten percent of the preceding year's total tuition and fee charges received for educational services in Washington, but not less than twenty five thousand dollars nor more than two hundred fifty thousand dollars.~~

~~(2) In the case of new institutions, the bond or security amount for the first year shall be twenty five thousand dollars.~~

~~(3) Release of surety bonds and other securities shall be made in compliance with chapter 28B.85 RCW.)~~ (1) An institution shall publish a catalog supplemented as necessary by other published materials (a draft copy may be provided for initial application) which shall include at least the following information:

(a) Official name, address, and telephone number of institution.

(b) Identifying data, such as volume number, date of publication, and year(s) for which the catalog is effective.

(c) A statement of purpose, objectives, and educational program of the institution.

(d) A listing of the names of all faculty, showing earned degrees and the institution conferring them; names of administrative officers, owner(s) and/or board.

(e) Specific programs of study, listing the degrees and majors offered, a brief description of each course offering, and the requirements for successful completion of each program.

(f) Admission, retention, and degree completion requirements.

(g) A detailed schedule of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, deposits, and all other student charges necessary for the completion of each program of study.

(h) Cancellation and refund policies.

(i) Policies and procedures relative to the granting of credit for experience, along with the maximum amount of credit which can be obtained in this manner.

(j) A statement of the institution's policy on acceptance of transfer credits and credit by examination.

(k) A statement explaining the transferability of the institution's credits to other institutions and the process by which a student may determine whether the institution's credits are transferable to another institution.

(l) Policies and procedures for the development of individualized courses and programs.

(m) A description of the types of financial aid assistance available to students enrolled in the institution.

(n) A description of student support services and auxiliary services available to students enrolled in the institution.

(o) A description of the institution's library facilities, and equipment.

(p) A table of contents.

(q) An institutional calendar showing legal holidays, beginning and ending dates of each term, and other important dates.

(r) Policies outlining students' academic responsibilities, standards of academic progress, grading, grievance and appeal process, and reentrance after dismissal for unsatisfactory progress.

(s) Regulations of conduct and disciplinary procedures.

(t) Name, title, and address/office location of personnel responsible for handling student complaints.

(u) An authorization statement on the cover or front page of the catalog which reads: The (name of institution) is authorized by the Washington higher education coordinating board and meets the requirements and minimum educational standards established for degree-granting institutions under the Degree Authorization Act. This authorization is valid until (expiration date) and authorizes (name of institution) to offer the following degree programs: (List). Any person desiring information about the requirements of the act or the applicability of those requirements to the institution may contact the board office at P.O. Box 43430, Olympia, WA 98504-3430.

(2) An institutional catalog and other official publications shall not include accreditation statements unless the institution is accredited by an association recognized by the federal government.

(3) An institutional catalog shall be published at least once every two years and be provided to students at the time of their enrollment.

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-130 ((Closure)) Cancellation and refund requirements. ~~(((1) In the event an institution proposes to discontinue its operation, the chief administrative officer of the institution shall:~~

(a) Notify the executive director immediately by certified mail.

(b) Furnish enrolled students with a written notice explaining the reasons for closure and what procedures they are to follow to secure refunds and their official records.

(2) In the event it appears to the executive director that the official records of an institution discontinuing its operation are in danger of being destroyed, secreted, mislead, or otherwise made unavailable to the students and the board, the executive director may seek a court order to take possession of the records and provide for their permanent maintenance.) (1) Each institution shall publish its cancellation and refund policies in clear language that can be easily understood by prospective students. No student shall be enrolled without having received the explanatory materials. These policies shall apply to all terminations for any reason, by either party.

(2) The refund policy for nonaccredited institutions shall comply with the federal guidelines established by the United States Department of Education.

(3) The refund policy for accredited institutions shall comply with the federal guidelines established by the United States Department of Education and the standards established by the institution's accrediting association.

AMENDATORY SECTION (Amending WSR 93-01-103, filed 12/17/92, effective 1/17/93)

WAC 250-61-140 ((Application)) Surety bond requirements. (((1) Initial application requirements:

(a) No institution is eligible to apply for authorization if the institution is based outside of Washington and is not authorized to do business in the state in which it is primarily located.

(b) At least six months prior to operation, an institution shall apply to the board for authorization by completing application forms provided by the executive director. As a minimum, the application must include:

(i) Name and address of institution.

(ii) Purpose of institution.

(iii) Names and addresses of the owner(s) of the institution and shareholders holding more than a ten percent interest, and, if applicable, members of the institution's board.

(iv) Name and address of the chief administrative officer and representatives of the institution in Washington.

(v) Bylaws and regulations established for the governance and operation of the institution.

(vi) Bank or other financial institution that may be consulted as a financial reference.

(vii) Qualifications of administrators and faculty.

(viii) A description of the degrees and programs of study offered.

(ix) A description of the facilities and equipment utilized.

(x) A signed written statement from the chief administrative officer attesting to the truth and accuracy of the information provided and pledging that the institution will comply with the requirements of the act and this chapter.

(e) Each application shall be accompanied by the following:

(i) An initial application fee payable to the Washington state treasurer for two thousand dollars.

(ii) A surety bond or other form of security as specified in chapter 28B.85 RCW and this chapter.

(iii) An audited financial statement consistent with the general accounting principles established by the *College and University Business Administration*, third edition, or such later editions as published.

(iv) A copy of enrollment agreements or student contracts utilized by the institution.

(v) A copy of the institution's articles of incorporation on record with the Washington state office of the secretary of state.

(vi) A copy of the institution's catalog.

(vii) Documentation verifying the institution's accreditation status and authorization status in primary location.

(viii) Documentation that fire, safety, and health codes are met by the institutional facility.

(d) If additional program(s) of study are proposed during the current authorization year, the institution must submit to the board a supplemental application at least sixty days before the program is to be offered. The program(s) of study shall be authorized prior to operation, which includes advertising and recruitment.

(2) Biennial renewal application for authorization.

(a) At least three months prior to the expiration date of the institution's current authorization, the institution shall:

(i) Submit a renewal application fee payable to the Washington state treasurer for one thousand dollars.

(ii) Provide evidence of continued compliance with the surety bond or security requirement.

(iii) Submit an audited financial statement consistent with the general accounting principles established by the *College and University Business Administration*, third edition, or such later editions as published.

(iv) File a renewal application on a form developed by the executive director, together with a signed, written statement from the chief administrative officer, attesting to the truth and accuracy of the information provided in the renewal application and pledging continued compliance with all the requirements of the act and this chapter.

(b) A change of ownership or control of an institution shall nullify any previous authorization, and the chief administrator, representing the new owner(s) shall comply with all the application requirements applicable to the initial application for authorization outlined in this section. If the chief administrator furnishes a written statement asserting that all conditions set forth in the act and these rules are being met or will be met before offering instruction, the executive director may issue a temporary certificate of authorization for a maximum of sixty days.) (1) The amount of the surety bond or other security shall be ten percent of the preceding year's total tuition and fee charges received for educational services in Washington, but not less than twenty-five thousand dollars nor more than two hundred fifty thousand dollars.

(2) In the case of new institutions, the bond or security amount for the first year shall be twenty-five thousand dollars.

(3) Release of surety bonds and other securities shall be made in compliance with chapter 28B.85 RCW.

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-150 ((Application review procedures.)) Tuition recovery trust fund account requirements. ((+)) Staff analysis. Following receipt of the application, board staff shall review and analyze the application and documentation submitted.

(2) Site visit and additional documentation. In the case of an application where the board staff determines it is necessary to verify or supplement the information provided in the application, the staff may require additional written documentation and arrange for a site visit.

(3) Outside consultants. The executive director and the executive director's designee, at their discretion, may utilize the expertise of other higher education experts to assist in a site visit and in the evaluation of the documentation submitted.

(4) Staff report. Following the staff analysis, board staff shall summarize its findings and develop a recommendation to the executive director regarding the application. This recommendation shall be shared with the applicant as follows:

(a) That the institution be granted authorization, subject to annual reporting and maintenance of the conditions under which authorization has been granted; or

(b) That the institution be denied authorization.

(5) Authorization notification. Following the executive director's decision to authorize or deny the institution's request, a letter signifying the action shall be sent from the executive director to the chief administrative officer of the institution. The letter of authorization will serve as official authorization for the institution to operate in Washington and offer the stated program(s) of study at stated location(s).

(6) An institution denied authorization shall file a new application in order to be given reconsideration for authorization.) (1) Purpose. The board shall require any degree-granting private vocational school subject to this chapter to make cash deposits into the board's account in the tuition recovery trust fund. Deposits collected are payable to the state for the benefit and protection of any enrollee of a degree-granting private vocational school's degree program authorized under this chapter, or in the case of a minor, his or her parent or guardian for purposes including but not limited to the settlement of claims related to school closures and complaints filed under RCW 28B.85.090(1).

(2) Establishment of account liability limits. The amount of liability that can be satisfied by this account on behalf of each degree-granting private vocational school shall be based on the following scale.

<u>TOTAL ANNUAL TUITION INCOME FROM DEGREE PROGRAMS:</u>	<u>LIABILITY LIMIT:</u>
<u>\$0.00 to \$100,000</u>	<u>\$10,000</u>
<u>\$100,001 to \$250,000</u>	<u>\$25,000</u>
<u>\$250,001 to \$500,000</u>	<u>\$50,000</u>
<u>\$500,001 to \$1,000,000</u>	<u>\$100,000</u>
<u>\$1,000,001 to \$3,000,000</u>	<u>\$300,000</u>
<u>\$3,000,001 to \$5,000,000</u>	<u>\$500,000</u>
<u>\$5,000,001 to \$7,500,000</u>	<u>\$750,000</u>
<u>\$7,500,001 to \$10,000,000</u>	<u>\$1,000,000</u>

<u>\$10,000,001 to \$15,000,000</u>	<u>\$1,500,000</u>
<u>Over \$15,000,000</u>	<u>10% OF GROSS</u>

(a) The calculation of total annual tuition for a school based outside of Washington shall include only that income derived from residents of this state during the school's preceding fiscal year of operation.

(b) Institutions not yet in operation shall have a liability limit calculated on the basis of projected income derived from residents of this state during the school's initial fiscal year of operation.

(c) No liability established shall be less than ten thousand dollars.

(3) Initial capitalization requirement. The initial capitalization requirement is one hundred twenty-five thousand dollars, calculated in accordance with each degree-granting private vocational school's proportionate share of the account's liability.

(4) Matrices for calculating initial deposits and assessments.

<u>LEVEL OF LIABILITY:</u>	<u>PRO-RATA PARTICIPATORY SHARES FOR FIVE YEARS:</u>
<u>\$10,000</u>	<u>0.31%</u>
<u>\$25,000</u>	<u>0.77%</u>
<u>\$50,000</u>	<u>1.52%</u>
<u>\$100,000</u>	<u>3.10%</u>
<u>\$300,000</u>	<u>9.29%</u>
<u>\$500,000</u>	<u>13.40%</u>
<u>\$750,000</u>	<u>23.22%</u>
<u>\$1,000,000</u>	<u>23.64%</u>
<u>\$1,500,000</u>	<u>46.44%</u>
<u>Over \$1,500,000</u>	<u>DETERMINED BY LIABILITY LEVEL</u>

(5) Initial deposit. Each degree-granting private vocational school applying for authorization shall submit to the board in cash, or by check or money order, the following amounts for deposit in the tuition recovery trust fund account, those being calculated by application of the matrix displayed under subsection (4) of this section.

<u>LEVEL OF LIABILITY:</u>	<u>INITIAL DEPOSIT:</u>
<u>\$10,000</u>	<u>\$388</u>
<u>\$25,000</u>	<u>\$968</u>
<u>\$50,000</u>	<u>\$1,900</u>
<u>\$100,000</u>	<u>\$3,875</u>
<u>\$300,000</u>	<u>\$11,776</u>
<u>\$500,000</u>	<u>\$16,750</u>
<u>\$750,000</u>	<u>\$29,025</u>
<u>\$1,000,000</u>	<u>\$29,550</u>
<u>\$1,500,000</u>	<u>\$58,000</u>
<u>Over \$1,500,000</u>	<u>DETERMINED BY LIABILITY LEVEL</u>

(6) Five-year contribution schedule. Commencing six months after the due date of its initial deposit and thereafter, each school shall remit to the board for deposit into the tuition recovery trust fund account semiannual payments in accordance with the following schedule to an amount totaling five hundred thousand dollars. The calculation of the final payment may be adjusted to cover total remittances to equal the total amount of deposit due.

PERMANENT

<u>LEVEL OF LIABILITY:</u>	<u>FIVE-YEAR SEMIANNUAL PAYMENT:</u>
\$10,000	\$116
\$25,000	\$289
\$50,000	\$570
\$100,000	\$1,163
\$300,000	\$3,484
\$500,000	\$5,025
\$750,000	\$8,707
\$1,000,000	\$8,865
\$1,500,000	\$17,415
Over \$1,500,000	DETERMINED BY LIABILITY LEVEL

(7) Within thirty days after disbursements made to settle claims reduce the operating balance below one hundred twenty-five thousand dollars until June 30, 2000, or below five hundred thousand dollars thereafter, the board shall assess each school a pro rata share of an amount required to restore the deficiency created by such disbursements. In making calculations of each respective share the board shall employ the same percentages of liability established under subsection (4) of this section. In the event that the amount of any single such assessment equals or is less than the semiannual amount of deposit required, the assessment shall be paid within thirty calendar days of notice. In the event that any single assessment exceeds the amount of its semiannual deposit required, the school may apply to the board for a schedule of deferred payments, not to exceed one year beyond the date of an assessment.

(8) When the aggregated deposits total five hundred thousand dollars and the history of disbursements justifies such modifications, the executive director or designee may reduce the schedule of deposits.

(9) Funds disbursed to settle claims against an authorized degree-granting private vocational school shall be recovered by the board under a negotiated schedule, not to exceed one year beyond the date of the initial demand notice.

(10) Any award due to claimants with an outstanding balance on federal student loans under Title IV of the Higher Education Act will be disbursed by the board to the particular federal financial aid program in accordance with federal law.

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-160 ((Revocation of authorization.) Closure requirements. ((1) The executive director may revoke an institution's authorization if it finds that:

- (a) Any statement contained in the application for authorization is untrue.
- (b) The institution has failed to maintain faculty, facilities, equipment, and programs of study on the basis of which the authorization was granted.
- (c) Advertising or representations made on behalf of and sanctioned by the institution is deceptive or misleading.
- (d) The institution has violated any provision of this chapter.

(2) The executive director's and board's actions are subject to due process hearing procedures of the Washington Administrative Procedure Act.) (1) In the event an institu-

tion proposes to discontinue its operation, the chief administrative officer of the institution shall:

(a) Notify the executive director immediately by certified mail.

(b) Furnish enrolled students with a written notice explaining the reasons for closure and what procedures they are to follow to secure refunds and their official records, and what arrangements have been made for providing continuing instruction at other institutions.

(2) Provide for the permanent maintenance of official records acceptable to the executive director.

(3) In the event it appears to the executive director that the official records of an institution discontinuing its operation are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the students and the board, the executive director may seek a court order to take possession of the records and provide for their permanent maintenance.

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-170 ((Complaints.) Application requirements. ((1) Upon written receipt of a complaint that an institution has failed or is failing to comply with the provisions of the act or this chapter, the executive director shall notify the institution by mail of the nature of the complaint and shall conduct an investigation.

(2) If preliminary findings indicate that a violation(s) may have occurred or are occurring, the executive director shall attempt, through mediation and conciliation, to effect compliance and bring about a settlement.

(3) If no agreement is reached, the executive director shall file a formal complaint with the board and notify the institution of the conduct which warrants the complaint. Final resolution of the complaint shall be subject to hearing procedures provided for in this chapter and the institution may be subject to a summary suspension of its authorization, pending further proceedings for revocation, suspension or other actions deemed proper after the hearing.) (1) Initial application requirements:

(a) To apply for authorization an institution based outside of Washington shall be authorized to do business in the state in which it is primarily located, and shall furnish evidence that the institution is in good standing with its accrediting association and that the association has either approved or been notified of the proposed Washington operation(s). An institution based in Washington shall also furnish evidence that it is in good standing with its accrediting association.

(b) Institutions seeking initial authorization shall contact the board staff and arrange for a preliminary conference to discuss the authorization standards and application/review procedures.

(c) At least one year prior to operation, an institution shall apply to the board for authorization by completing application forms provided by the executive director.

(d) Within six months of the effective date of these regulations, degree-granting private vocational schools exempted under the previous regulations shall apply to the board for authorization by completing an application form and making their proportional initial capitalization contribu-

PERMANENT

tion into the board's tuition recovery trust fund account at the time of application.

(e) As a minimum, the application shall include:

(i) Name and address of institution.

(ii) Purpose of institution.

(iii) Names and addresses of the owner(s) of the institution and shareholders holding more than a ten percent interest, and, if applicable, members of the institution's board.

(iv) Name and address of the chief administrative officer and representatives of the institution in Washington.

(v) Bylaws and regulations established for the governance and operation of the institution.

(vi) Bank or other financial institution that may be consulted as a financial reference.

(vii) Resumes for administrators and faculty and their respective duties, course assignments, and full-time/part-time employment status.

(viii) A description of the degrees and programs of study offered, including course syllabi as requested that specify course title and description, required text(s), sequence of instruction, instructional methodology, method of evaluation, and expected student learning outcomes.

(ix) A description of the facilities and equipment utilized.

(x) A signed written statement from the chief administrative officer attesting to the truth and accuracy of the information provided and pledging that the institution will comply with the requirements of the act and this chapter.

(xi) Projected enrollments.

(f) Each application shall be accompanied by the following:

(i) An initial application fee payable to the Washington state treasurer for two thousand dollars.

(ii) A surety bond or other form of security as specified in chapter 28B.85 RCW and this chapter.

(iii) A financial statement, prepared by an independent certified public accountant, conforming to generally accepted accounting principles, and a two-year budget for the proposed Washington operation.

(iv) A copy of enrollment agreements or student contracts utilized by the institution.

(v) A copy of the institution's articles of incorporation on record with the Washington state office of the secretary of state.

(vi) A copy of the institution's catalog.

(vii) Documentation verifying the institution's accreditation status and authorization status in primary location.

(viii) Documentation that fire, safety, and health codes are met by the institutional facility in Washington.

(g) If additional program(s) of study or new locations for existing programs are proposed during the current authorization period, the institution shall submit to the board a supplemental application at least ninety days before the program is to be offered. The program(s) of study and location(s) shall be authorized prior to operation, which includes advertising and recruitment.

(2) Biennial renewal application for authorization.

(a) At least six months prior to the expiration date of the institution's current authorization, an institution based outside of Washington shall provide evidence that it continues to be authorized to do business in the state in which it

is primarily located and it continues to be in good standing with its accrediting association and that association continues to approve the Washington operation(s). An institution based in Washington shall also furnish evidence that it continues to be in good standing with its accrediting association. Additionally, such institutions shall:

(i) Submit a renewal application fee payable to the Washington state treasurer for one thousand dollars.

(ii) Provide evidence of continued compliance with the surety bond or security requirement.

(iii) Submit financial statement, prepared by an independent certified public accountant, conforming to generally accepted accounting principles, and a two-year budget for the continuing Washington operation.

(iv) File a renewal application on a form developed by the executive director, together with a signed, written statement from the chief administrative officer, attesting to the truth and accuracy of the information provided in the renewal application and pledging continued compliance with all the requirements of the act and this chapter.

(b) A change of ownership or control of an institution shall nullify any previous authorization, and the chief administrator, representing the new owner(s) shall comply with all the application requirements applicable to the initial application for authorization outlined in this section. If the chief administrator furnishes a written statement asserting that all conditions set forth in the act and these rules are being met or will be met before offering instruction, the executive director may issue a temporary certificate of authorization for a maximum of ninety days.

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-180 ((Appeal-)) Application review procedures. ((Any dispute arising from the following actions shall require a hearing pursuant to this chapter:

(1) A denial of an exemption.

(2) A denial of authorization.

(3) A cease and desist order issued under the provisions of chapter 28B.85 RCW.

(4) Any action taken by the executive director which is alleged to adversely affect an institution or a student and which is allegedly not in keeping with the intent and purpose of the act or this chapter.)) (1) Staff analysis. Following receipt of a complete application, board staff shall review and analyze the application and documentation submitted.

(2) Site visit and additional documentation. In the case of an application where the board staff determines it is necessary to verify or supplement the information provided in the application, the staff may require additional written documentation and arrange for a site visit.

(3) Outside consultants. The executive director and the executive director's designee, at their discretion, may utilize the expertise of other higher education experts to assist in the evaluation of the documentation submitted. The institution applying for authorization shall reimburse a maximum of three outside consultants five hundred dollars each for their external reviews.

(4) Staff report. Following the staff analysis, board staff shall summarize its findings and develop a recommendation to the executive director regarding the application. This

recommendation shall be shared with the applicant as follows:

(a) That the institution be granted authorization, subject to biennial reporting and maintenance of the conditions under which authorization has been granted.

(b) That the institution be granted conditional authorization, subject to annual reporting and maintenance of the conditions under which authorization has been granted.

(c) That the institution be denied authorization.

(5) Notification. Following the executive director's decision to authorize or deny the institution's request, a letter signifying the action shall be sent from the executive director to the chief administrative officer of the institution. The letter of authorization will serve as official authorization for the institution to operate in Washington and offer the stated program(s) of study at stated location(s).

(6) An institution denied authorization shall file a new application and pay a one thousand dollar reapplication fee in order to have the new application considered for authorization.

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-190 ((Hearings.)) Complaints. ~~((Any hearing called for under the act shall be conducted in the following manner:~~

~~(1) The executive director or a designated hearing officer shall conduct a hearing and make findings and conclusions in accordance with the Administrative Procedure Act, chapter 34.04 RCW. The findings, conclusions, and any recommendations for action shall be submitted to the board for final action pursuant to RCW 34.04.110.~~

~~(2) The board may accept or reject, in whole or in part, any recommendations made by the hearing officer, may remand for further findings and/or take any other action the board deems appropriate under the circumstances, pursuant to the provisions of the act and this chapter.) A student with a complaint against an authorized institution shall make a reasonable effort to resolve the complaint directly with the institution. If a mutually satisfactory solution cannot be reached, the following procedure shall be pursued:~~

~~(1) Upon written receipt of a complaint that an institution has failed or is failing to comply with the provisions of the act or this chapter, and documentation that a reasonable effort was made to resolve the complaint directly with the institution, the executive director shall notify the institution by mail of the nature of the complaint and shall conduct an investigation.~~

~~(2) If preliminary findings indicate that a violation(s) may have occurred or are occurring, the executive director shall attempt, through mediation and conciliation, to effect compliance and bring about a settlement.~~

~~(3) If no agreement is reached, the executive director shall file a formal complaint with the board and notify the institution of the conduct which warrants the complaint. Final resolution of the complaint shall be subject to hearing procedures provided for in this chapter and the institution may be subject to a summary suspension of its authorization, pending further proceedings for revocation, suspension or other actions deemed proper after the hearing.~~

(4) To be considered by the board, a complaint shall be filed within one year after the student's last recorded date of attendance.

NEW SECTION

WAC 250-61-200 Suspension and revocation of authorization. (1) The executive director may suspend or revoke an institution's authorization if it finds that:

(a) Any statement contained in the application for authorization is untrue.

(b) The institution has failed to maintain faculty, facilities, equipment, and programs of study on the basis of which the authorization was granted.

(c) Advertising or representations made on behalf of and sanctioned by the institution is deceptive or misleading.

(d) The institution has violated any provision of this chapter.

(2) Suspension or revocation shall be made only after the institution has been informed in writing of its deficiencies and has been given reasonable time to restore itself to the level of the required standards. The executive director shall grant an institution a period of suspension if in the executive director's judgment any unsatisfactory condition can reasonably be corrected within such time.

(3) The executive director's and board's actions are subject to due process hearing procedures of the Washington Administrative Procedure Act.

NEW SECTION

WAC 250-61-210 Request for adjudicative proceeding. (1) A party subject to the following actions may request a hearing as provided in WAC 250-61-220:

(a) A denial of exemption from the Degree Authorization Act;

(b) A denial of authorization under the Degree Authorization Act;

(c) A cease and desist order issued under chapter 28B.85 RCW; or

(d) Other final action as defined in chapter 34.05 RCW, by the executive director that adversely affects the institution or student and which is contrary to the intent and purpose of the Degree Authorization Act or this chapter.

(2) A party must submit a request for a hearing to the executive director at the board office no later than thirty days following receipt of the notice of final agency action. In the written request, the party must identify the final action in dispute and state that a hearing is requested.

NEW SECTION

WAC 250-61-220 Hearings. Any hearing called for under the act shall be conducted in accordance with the Washington Administrative Procedure Act, chapter 34.05 RCW.

(1) The presiding officer, who shall be the executive director or the hearing officer designated by the executive director, shall conduct the hearing under the provisions of chapter 34.05 RCW and shall enter an initial order under RCW 34.05.461 (2) through (9).

PERMANENT

(2) The board shall review the initial order under RCW 34.05.464 and either enter a final order or remand the matter for further proceedings under RCW 34.05.464(7).

(3) If the challenged agency action is upheld, the party that initiated the hearing process shall pay the costs of the administrative hearing within sixty days following final disposition of the matter.

(4) Any further review of final action must be taken in accordance with RCW 34.05.510 et seq.

WSR 95-01-006

PERMANENT RULES

WESTERN WASHINGTON UNIVERSITY

[Filed December 8, 1994, 12:40 p.m.]

Date of Adoption: December 2, 1994.

Purpose: Amended the smoking policy to broaden the smoke-free area on the university campus for employees and guests.

Citation of Existing Rules Affected by this Order: Amending WAC 516-52-001.

Statutory Authority for Adoption: RCW 28B.35.120(12).

Pursuant to notice filed as WSR 94-20-031 on September 27, 1994.

Effective Date of Rule: Thirty-one days after filing.
December 7, 1994

Wendy K. Bohlke
Assistant Attorney General
Senior Counsel

AMENDATORY SECTION (Amending WSR 93-01-080, filed 12/14/92, effective 1/14/93)

WAC 516-52-001 Smoking on campus. (1) Purpose. Western Washington University is dedicated to providing a healthful and productive work environment for all employees, students, and the public visiting or conducting activities in university facilities. This policy is intended to provide a smoke-free environment for employees, students, and the public who do not wish to be affected by those who smoke.

(2) Policy. Smoking shall not be permitted (~~in any building on campus except in:~~

(1) Clearly posted areas designated by the president or his designee; and

(2) Private enclosed inner faculty and administrative offices at the discretion of the individual in charge of each office)) inside any Western Washington University administrative or academic buildings and in identified external areas that may affect those people inside the administrative and academic buildings. Smoking will be allowed in identified outdoor smoking areas on campus.

WSR 95-01-007

PERMANENT RULES

HIGHER EDUCATION FACILITIES AUTHORITY

[Filed December 8, 1994, 2:34 p.m.]

Date of Adoption: August 19, 1994.

Purpose: Change administrative address and make a change to the amount of minimum equity capital required of investment banking firms that participate in Washington Higher Education Facilities Authority programs.

Citation of Existing Rules Affected by this Order: Amending WAC 253-02-040 and 253-16-090.

Statutory Authority for Adoption: Chapter 28B.07 RCW.

Pursuant to notice filed as WSR 94-17-013 on August 9, 1994.

Effective Date of Rule: Thirty-one days after filing.
December 8, 1994
Kim Herman
Executive Director

AMENDATORY SECTION (Amending Order 3, filed 11/27/84)

WAC 253-02-040 Description of organization. (1) The authority is a public entity established under the provisions of chapter 28B.07 RCW, which exercises essential governmental functions.

(2) **Members.** The authority shall consist of seven members as follows: The governor, lieutenant governor, executive coordinator of the state council for postsecondary education, and four public members, one of whom shall be the president of a higher education institution at the time of appointment. The public members shall be residents of the state and appointed by the governor, subject to confirmation by the senate, on the basis of their interest or expertise in the provision of higher education and the financing of higher education. The public members of the authority shall serve for terms of four years. The initial terms of the public members shall be staggered in a manner determined by the governor. In the event of a vacancy on the authority due to death, resignation, or removal of one of the public members, and upon the expiration of the term of any public member, the governor shall appoint a successor for a term expiring on the fourth anniversary of the successor's date of the appointment. If any of the state offices are abolished, the resulting vacancy on the authority shall be filled by the state officer who shall succeed substantially to the power and duties of the abolished office. Any public member of the authority may be removed by the governor for misfeasance, malfeasance, wilful neglect of duty, or any other cause after notice and a public hearing, unless such notice and hearing shall be expressly waived in writing.

(3) **Officers.** The governor shall serve as chairperson of the authority. The authority shall elect annually one of its members as secretary. If the governor shall be absent from a meeting of the authority, the secretary shall preside. However, the governor may designate an employee of the governor's office to act on the governor's behalf in all other respects during the absence of the governor at any meeting of the authority. If the designation is in writing and is presented to the person presiding at the meetings of the authority who is included in the designation, the vote of the designee has the same effect as if cast by the governor.

(4) **Authority staff:** The staff of the authority shall consist of an executive director and such other employees as are determined by the authority as necessary to fulfill its responsibilities and duties. The executive director shall be

PERMANENT

the chief administrative officer of the authority and subject to its direction. All other staff shall be under his or her supervision and direction. The executive director shall keep a record of the proceedings of the authority and, when required by the authority, shall sign notes, contracts and other instruments. The executive director shall have custody of and be responsible for all moneys and securities of the authority and shall deposit all such moneys forthwith in such banks as the authority may designate from time to time.

(5) Administrative office: The administrative office of the authority shall be located at (~~(504 E. 14th, Suite 130, Mailstop PK 11, Olympia, WA 98504)~~) 1000 Second Avenue, Suite 2700, Seattle, WA 98104-1046, telephone: (206)464-7139, which office shall be open each day for the transaction of business from (~~(8:00)~~) 8:30 a.m. to 5:00 p.m. (Saturdays, Sundays and legal holidays excepted, and except for business relating to public records, which is governed by WAC 253-12-050).

(6) Address for communications: All communications with the authority, including but not limited to the submission of materials pertaining to its operations and these rules, requests for copies of the authority's decisions and other matters, shall be addressed as follows: Washington Higher Education Facilities Authority, (~~(504 E. 14th, Suite 130, Mailstop PK 11, Olympia, WA 98504)~~) 1000 Second Avenue, Suite 2700, Seattle, WA 98104-1046.

AMENDATORY SECTION (Amending Order 1, filed 12/12/86)

WAC 253-16-090 Selection of investment banking firms as underwriters. (1) The authority shall create and maintain a roster of underwriters who the authority believes possess the requisite special expertise and professional standing to provide bond marketing services which would be accepted by bondholders and other members of the financial community, and which would be in furtherance of the public interest in marketing the authority's bonds at the lowest possible costs in Washington state as well as nationally.

(2) Any underwriter may apply to have its name placed on the roster. Each underwriter placed on the roster must be able to demonstrate current competence and experience in the structuring and sale of higher educational facility bond financing. In addition the underwriter must meet the following minimum standards:

(a) The firm must have a minimum equity capital of (~~twenty~~) five million dollars; and

(b) The firm must currently possess the competence and ability to underwrite a higher education facility bond issue by demonstrating, among other things, that the firm or its key underwriting personnel have either managed or comanaged two higher educational facility bond issues within the last three calendar years; or

(c) The firm has served as a credit facility for a higher education facility within the past three years; or

(d) The firm meets other criteria as the authority may adopt from time to time which establish a firm's ability to prepare for issuance, underwrite and market bonds to be issued by the authority.

(3)(a) Whenever the authority decides that it needs the services of an underwriter, it shall provide all underwriters on the roster with a notice of its intentions and shall invite

each of them to submit to the authority an itemization of its fees and other charges for providing underwriting services on the issue. The authority shall have wide discretion in selecting the underwriter it considers to be most appropriate to provide the services, but in the exercise of this discretion the authority shall consider the underwriter's fees and other charges and the public interest in achieving issuance of bonds on terms most favorable to the authority.

(b) The applicant may, at its option, exercise the notice and selection procedures regarding underwriters set forth in (a) of this subsection. In such circumstances the applicant shall supply the authority with written verification that it has complied with the provisions of (a) of this subsection and the applicant shall obtain the authority's prior approval of the actual selection of the underwriter.

(4)(a) To provide balanced management knowledge and sale distribution and to assure the most realistic bond terms and interest, the authority reserves the right to name investment banking firms as comanagers of any authority bond issue(s). The authority will not name an investment banking firm or firms as a comanaging underwriter or comanaging underwriters on bond issues of less than ten million dollars unless the authority determines that special circumstances so require. On each issue aggregating more than ten million dollars the authority may name a comanager or comanagers. On each issue aggregating more than twenty million dollars the authority may name two or more comanagers. The authority will also review and approve the division of the management fee in each instance where a comanager is named. While the authority will actually select the comanagers, it will consider recommendations from the applicant as to the selection of any comanager or comanagers. In each instance, the applicant will be given a written notification fifteen days prior to the authority's actual designation of an investment banking firm or firms as a comanager on a particular bond issue.

(b) For purposes of selecting comanagers on any bond issues, the authority shall maintain a roster of qualified comanagers for higher education facility bond issues. Any underwriter may, at any time, apply to the authority to have the underwriter's name placed on the roster or removed from the roster. Any underwriter qualified as a senior manager pursuant to subsection (2) of this section will also be placed on the roster of comanagers. The authority may, from time to time, request updated proposals for underwriter services from firms on the comanager roster. When the authority determines the need to retain comanagers, it shall select comanagers from the roster, with the advice of the applicant, the financial advisor, and the senior underwriter on the particular issue. In selecting a comanager, the authority shall consider each of the following factors:

(i) The underwriter's success in structuring and/or marketing higher education bond issues;

(ii) Underwriter's familiarity with higher education bond issues;

(iii) The underwriter's fee schedule for services;

(iv) The underwriter's regional and/or national reputation with respect to financial and underwriting services and ability to market bonds nationally and regionally as well as in Washington;

(v) Other qualifications which the authority may establish from time to time which indicate the firm's ability to act as a comanager on an authority bond issue.

(5) All compensation of the senior and comanaging underwriters, members of any underwriting syndicate, and placement agents shall be contingent upon the successful issuance and payment for the obligations and shall be paid from the proceeds of the sale or through the underwriting spread. The amount of the compensation for all such parties shall be determined by the authority, after considering the recommendations of the participant.

(6) For private placements the applicants may select a firm as placement agent for its proposed financing, subject to review and approval by the authority. In every instance, the placement agent selected must be able to demonstrate a familiarity with, and competence and experience in, the structuring and sale of higher education facility bonds. The applicant shall notify the authority in writing of its proposed placement agent selection fifteen days prior to the date it intends to enter into a formal contractual agreement. The authority will notify the applicant of its acceptance or rejection of the applicant's placement agent selection no later than ten days after receipt of the applicant's notification. If rejected, the authority will set forth the reasons for rejection, and the applicant will then propose another placement agent subject to authority approval in the same manner. The authority shall, in its discretion, make the final determination whether an issue is a private placement.

WSR 95-01-013
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed December 8, 1994, 4:15 p.m.]

Date of Adoption: December 8, 1994.

Purpose: To provide clarification for claiming basic education funding.

Citation of Existing Rules Affected by this Order: Repealing WAC 392-121-161 and 392-121-181; and amending WAC 392-121-106, 392-121-107, 392-121-108, 392-121-111, 392-121-122, 392-121-123, 392-121-136, 392-121-182, 392-121-183, and 392-121-184.

Statutory Authority for Adoption: RCW 28A.150.290.

Pursuant to notice filed as WSR 94-18-015 on August 25, 1994.

Effective Date of Rule: Thirty-one days after filing.
December 8, 1994
Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 88-8, filed 1/11/88)

WAC 392-121-106 Definition—Enrolled student. As used in this chapter, "enrolled student" means a person residing in Washington state who:

(1) Is eligible to enroll in the school district's education programs because he or she:

(a) Resides in the school district with or without an address (RCW 28A.225.010, 28A.225.160 and 28A.225.215);

(b) Resides on a United States reservation, national park, national forest, or Indian reservation contiguous to the school district (RCW 28A.225.170);

(c) Resides in a school district not offering the grade for which they are eligible to enroll such as a nonhigh district (RCW 28A.225.210);

(d) Has been released from the school district he or she resides in and has been accepted by the school district claiming enrollment (RCW 28A.225.225 and 28A.225.230);

(e) Will be attending the school district as part of an interdistrict cooperative program (RCW 28A.225.250); or

(f) Will be attending school in a school district in another state per a reciprocity agreement pursuant to RCW 28A.225.260.

(2) After the close of the prior school year has presented himself or herself, or has been presented, to the school district's appropriate (~~school~~) official to be entered on the school district's rolls for the purpose of attending school in grades kindergarten through twelve;

(~~(2)~~) (3) Is under twenty-one years of age at the beginning of the school year;

(~~(3)~~) (4) Actually participated on a school day during the current school (~~year~~) term (semester or quarter) in a course of study offered by the school district as defined in WAC 392-121-107; and

(~~(4)~~) (5) Does not qualify for any of the enrollment exclusions set forth in WAC 392-121-108.

NEW SECTION

WAC 392-121-10601 Definition—Kindergarten. As used in this chapter, "kindergarten" means an instructional program conducted pursuant to RCW 28A.150.220 for students who meet the entry age requirements pursuant to chapter 180-39 WAC.

NEW SECTION

WAC 392-121-10602 Definition—First grade. As used in this chapter, "first grade" means an instructional program conducted pursuant to RCW 28A.150.220 for students who meet the entry age requirements pursuant to chapter 180-39 WAC.

NEW SECTION

WAC 392-121-10603 Definition—Higher education institution. As used in this chapter, "higher education institution" means a public or private university, college, community college, or technical college in the state of Washington.

NEW SECTION

WAC 392-121-10604 Definition—Agency. As used in this chapter, "agency" means a federal, state, and local governmental entity; Indian tribe recognized as such by the federal government; or a private nonreligious, nonprofit educational corporation. Agency includes educational service districts and excludes higher education institutions.

PERMANENT

AMENDATORY SECTION (Amending Order 18, filed 7/19/90, effective 8/19/90)

WAC 392-121-107 Definition—Course(s) of study. As used in this chapter, "course(s) of study" means those activities for which students enrolled pursuant to chapters 180-16, 180-50, 180-51, 392-169 and 392-134 WAC may be counted as enrolled students for the purpose of full-time equivalent student enrollment counts.

(1) Course(s) of study includes:

(a) ~~((On-campus))~~ Instruction - teaching/learning experiences conducted ((on-campus, including qualifying nonclass study time. In order to qualify as on-campus instruction, nonclass study time must be scheduled in conjunction with other educational activity which occurs on campus during the school day, and participation in such study time must be monitored)) by the school district staff as directed by the administration and the board of directors of the school district, inclusive of intermissions for class changes, recess and teacher/parent-guardian conferences that are planned and scheduled by the district for the purpose of discussing students' educational needs or progress, and exclusive of time for meals.

(b) ~~((Off-campus instruction—teaching/learning experiences primarily conducted off-campus in conformance with WAC 392-121-181.~~

(e)) Alternative learning experience - alternative learning experience conducted ((on or off-campus)) by the school district in conformance with WAC 392-121-182.

~~((d))~~ (c) Contracting - ((enrollment in an educational) with a higher education institution ((other than a school district)) in conformance with WAC 392-121-183.

~~((e))~~ (d) National guard - participation in a national guard high school career training program for which credit is being given toward either required or elective high school credits pursuant to RCW 28A.305.170 and WAC 180-50-320. Such participation may be counted as a course of study only by the school district which the individual last attended.

~~((f))~~ (e) Ancillary service - service provided to part-time students, private school students and home-based students by the school district in conformance with chapter 392-134 WAC. Except for services to students with a disability and home/hospital students, only those services provided by school district staff on school grounds or facilities controlled by the school district can be counted as a course of study. School districts report the number of hours of ancillary service ((is reported)) annually to the superintendent of public instruction ((by school districts for the number of hours that private school and home-based students attend class or receive ancillary service. Ancillary service is not counted on the monthly report pursuant to WAC 392-121-122)).

~~((g))~~ (f) Work ((experience training)) based learning - training provided pursuant to WAC 180-50-315. One hour per scheduled school day may be counted for not less than four hundred five hours of scheduled work experience.

(g) Running start - attendance at an institution of higher education pursuant to RCW 28A.600.300 through 28A.600.400, chapter 392-169 WAC.

(h) Transition school - participation in the University of Washington's transition school and early entrance program pursuant to RCW 28A.185.040, and chapter 392-120 WAC.

Such participation shall be reported by the University of Washington and shall not be reported by a school district.

(i) Technical college direct funding - enrollment at a technical college pursuant to RCW 28A.150.275 and WAC 392-121-187. Such participation shall be reported by the technical college and shall not be reported by a school district unless the technical college and the school district agree to have the school district report such enrollment.

(j) Contracting - with an agency pursuant to WAC 392-121-185:

(k) Contracting - with a public or nonpublic school agency for students with a disability in accordance with WAC 392-171-496.

(2) Course(s) of study ~~((do))~~ does not include:

(a) Home-based instruction pursuant to RCW 28A.225.010(4)(-);

(b) Private school instruction pursuant to chapter 28A.195 RCW;

(c) Adult education as defined in RCW 28B.50.030(12);

(d) Instruction provided to students who do not reside in Washington state (RCW 28A.225.260);

(e) Enrollment in state institutions, i.e., ((handicapped institutions, neglected and delinquent institutions,)) state operated group homes, ((and)) county juvenile detention centers, state institutions for juvenile delinquents, and state residential habilitation centers;

(f) Instruction preparing a student for the general education development (GED) test if such instruction generates state or federal moneys for adult education;

(g) Enrollment in education centers;

(h) Enrollment in the Washington state school for the deaf and the Washington state school for the blind; or

(i) Extracurricular and before and after school activities offered outside the regular curriculum.

AMENDATORY SECTION (Amending Order 50, filed 1/2/91, effective 2/2/91)

WAC 392-121-108 Definition—Enrollment exclusions. A person who qualifies for any of the exclusions set forth in this section shall not be counted as an enrolled student pursuant to WAC 392-121-106.

(1) Absences - except as provided in (a) and (b) of this subsection, a student whose consecutive days of absence from school exceed twenty school days shall not be counted as an enrolled student until attendance is resumed.

(a) If there is an agreement between the appropriate school official and a student's parent or guardian pursuant to RCW 28A.225.010 that the student's temporary absence is not deemed to cause a serious adverse effect upon the student's educational progress, the absent student may be counted as an enrolled student for up to two monthly enrollment count dates as specified in WAC 392-121-122.

(b) A student receiving home and/or hospital service pursuant to WAC 392-171-486 shall be counted as an enrolled student as provided in WAC 392-122-145.

(2) Dropouts - a student for whom the school district has received notification of dropping out of school by the student or the student's parent or guardian shall not be counted as an enrolled student until attendance is resumed.

(3) Transfers - a student who has transferred to another public or private school and for whom the school district has

received notification of transfer from the school to which the student has transferred, from the student, or from the student's parent or guardian shall not be counted as an enrolled student unless the student reenrolls in the school district.

(4) Suspensions - a student who has been suspended from school pursuant to WAC 180-40-260, when the conditions of the suspension will cause the student to lose academic grades or credit, shall not be counted as an enrolled student until attendance is resumed.

(5) Expulsions - a student who has been expelled from school by the school district pursuant to WAC 180-40-275 shall not be counted as an enrolled student.

(6) Graduates - a student who has met the high school graduation requirements of chapter 180-51 WAC by the beginning of the school year.

AMENDATORY SECTION (Amending Order 88-8, filed 1/11/88)

WAC 392-121-111 Definitions—Student residence, resident ((student)) district and nonresident ((student)) district. As used in this chapter, "student residence," "resident ((student)) district" and "nonresident ((student)) district" mean the same as defined in WAC ((392-137-010 when determining an enrolled student)) 392-137-115 through 392-137-125.

AMENDATORY SECTION (Amending Order 88-8, filed 1/11/88)

WAC 392-121-122 Definition—Full-time equivalent student. As used in this chapter, "full-time equivalent student" means each enrolled student in the school district as of the fourth school day following the commencement of the school year (September 1 through August 31) and/or as of the first school day of any of the subsequent eight months for at least the minimum number of hours set forth in subsection (1) of this section, inclusive of class periods and normal class change passing time, but exclusive of noon intermissions: *Provided*, That the hours set forth below shall be construed as annual average hours for the purposes of compliance with this chapter: *Provided further*, That for districts commencing basic education programs prior to September first, the first month enrollment count shall be made on the fourth school day in September.

(1) The minimum hours for each grade are as follows:

(a) Kindergarten (full-day): 20 hours each week, or 4 hours (240 minutes) for 90 scheduled school days;

(b) Kindergarten (half-day): 10 hours each week, or 2 hours (120 minutes) each scheduled school day;

(c) Primary (grades 1 through 3): 20 hours each week, or 4 hours (240 minutes) each scheduled school day;

(d) Elementary (grades 4 through 6): 25 hours each week, or 5 hours (300 minutes) each scheduled school day;

(e) Secondary (grades 7 through 12): 25 hours each week, or 5 hours (300 minutes) each scheduled school day.

(2) A student enrolled for less than the minimum hours shown in subsection (1) of this section shall be counted as a partial full-time equivalent student equal to the student's hours of enrollment divided by the minimum hours for the student's grade level set forth in subsection (1) of this section.

(3) The full-time equivalent of a student's running start enrollment pursuant to RCW 28A.600.300 through 28A.600.400 shall be determined pursuant to chapter 392-169 WAC. The nine count dates for running start enrollment shall be the months of October through June. If a running start student is enrolled both in high school courses provided by the school district and in running start courses provided by the college, the high school full-time equivalent and the running start full-time equivalent shall be determined separately.

(4) The full-time equivalent of University of Washington transition school students shall be determined pursuant to chapter 392-120 WAC.

AMENDATORY SECTION (Amending Order 88-8, filed 1/11/88)

WAC 392-121-123 Nonstandard school year programs. Notwithstanding the count dates in WAC 392-121-122, a student who is participating in a course of study, other than running start and transition school, on a tuition-free basis and who has not been counted as a full-time equivalent student for all of the first nine months of the school year may be counted in any of the last three months of the school year as long as enrollment counts for such student do not exceed the limitation on enrollment counts set forth in WAC 392-121-136.

AMENDATORY SECTION (Amending Order 50, filed 1/2/91, effective 2/2/91)

WAC 392-121-136 Limitation on enrollment counts. Enrollment counts pursuant to WAC 392-121-106 through 392-121-133 are subject to the following limitations:

(1) Except as provided in ((subsection (2))) (a) and (b) of this ((section)) subsection, no student, including a student enrolled in more than one school district, shall be counted as more than one full-time equivalent student on any count date or more than one annual average full-time equivalent student in any school year.

((2)) (a) School districts operating approved vocational skills center programs during the summer vacation months may claim additional full-time equivalent students based upon actual enrollment in such vocational skills centers on the first school day of July of each year. Each district operating an approved vocational skills center program shall be entitled to claim one annual average full-time equivalent student for each 900 hours of planned student enrollment for the summer term based upon the July enrollment data.

(b) Enrollment count limitations apply separately to a student's running start and high school enrollments.

(2) Running start enrollment counts are limited as provided in chapter 392-169 WAC and specifically as provided in WAC 392-169-060.

(3) ((A student who is five years of age at the beginning of the school year and who is enrolled in a preschool handicapped program shall not be counted as a kindergarten student pursuant to WAC 392-121-122 unless the student is enrolled full-time in the preschool handicapped program or attends a regular kindergarten program in addition to the preschool handicapped program.)) The full-time equivalent reported for a five year old preschool student with a disability is limited as provided in WAC 392-121-137.

(4) No kindergarten student, including a student enrolled in more than one school district, shall be counted as more than one-half of an annual average full-time equivalent student in any school year.

NEW SECTION

WAC 392-121-137 Full-time equivalent enrollment of students with a disability. In determining the full-time equivalent enrollment of students reported as students with a disability pursuant to chapter 392-171 WAC, the following rules apply:

(1) If the student is enrolled exclusively in an ungraded special education program, the student's grade level shall be based on the typical grade level of students of the same age (e.g., a student who is six years old at the beginning of the school year shall be counted as a first grader).

(2) If the student is enrolled in a grade level below the typical grade level of students of the same age, the school district shall have the option of counting the student in the grade enrolled or the typical grade level of students of the same age.

(3) A student with a disability who is five years old at the beginning of the school year may be counted as a kindergarten student only if the student is enrolled full time (twenty hours or more per week), or is enrolled in a kindergarten program and is provided special education services in addition to the kindergarten program.

NEW SECTION

WAC 392-121-138 Full-time equivalent enrollment of vocational education students. For the purpose of enhanced funding for vocational education full-time equivalent enrollment of students enrolled in vocational secondary and skills centers shall be based upon the actual hours of enrollment in state approved vocational courses. Nine hundred hours of approved vocational instruction shall equal one annual average full-time equivalent student.

AMENDATORY SECTION (Amending Order 50, filed 1/2/91, effective 2/2/91)

WAC 392-121-182 Alternative learning experience requirements. An alternative learning program conducted by the school district staff may be counted as a course of study pursuant to WAC 392-121-107 if the following requirements are met:

(1) The program operates in compliance with an approved written program plan on file in the appropriate school building. Alternative learning experience program plans shall include but not be limited to:

(a) The objective(s) of the program;

(b) The teaching component(s) of the program, including where and when teaching activities will be conducted by school district certificated staff;

(c) A schedule of the duration of the program, including beginning and ending dates within the school year;

(d) A description of how student performance will be supervised, evaluated, and recorded by the certificated staff or by qualified school district employees under the direct supervision of the certificated staff; and

(e) A description of intervention techniques and criteria for their use.

(2) The student's performance is subject to the direction of and evaluation by the district's certificated staff.

(3) The full-time equivalent of alternative learning experience students in grades kindergarten through eight shall be based on the number of hours of instruction meeting the criteria in WAC 392-121-107 (1)(a) and be determined using the definition of a full-time equivalent student in WAC 392-121-122.

(4) Each high school course credit which is actively being pursued in an alternative learning experience and which meets the requirements of chapter 180-51 WAC ((180-51-110)) may supplement or replace one hour of minimum time toward a scheduled school day.

(5) Effective with the 1995-96 school year the school district shall maintain a ratio of full-time equivalent certificated instructional staff serving the annual average full-time equivalent students reported for basic education funding pursuant to this section which is at least equal to the district's basic education funding ratio for the grade level of the students being reported for basic education funding pursuant to this section.

AMENDATORY SECTION (Amending Order 88-8, filed 1/11/88)

WAC 392-121-183 Contracting with ~~((an education- al)) a higher education institution ((other than a school district)).~~ Contracting with a higher education institution ((other than a school district)) may be counted as a course of study pursuant to WAC 392-121-107 if the following requirements are met:

(1) The student is enrolled in the school district reporting the enrollment and is working towards course credits which satisfy high school graduation requirements; ((and))

(2) The school district has a written contractual agreement with the educational institution to provide instruction at no cost to the student for tuition or fees; and

(3) The full-time equivalent reported for contracted enrollment shall be based on the number of hours of instruction meeting the criteria in WAC 392-121-107 (1)(a) provided by staff of the higher education institution under the contract.

AMENDATORY SECTION (Amending Order 91-07, filed 3/29/91, effective 4/29/91)

WAC 392-121-184 Running start program requirements. The provisions of this chapter shall govern the substantiation of claims for running start program basic education allocation moneys to the extent the provisions of this chapter supplement and do not conflict with the provisions of chapter ~~((392-127)) 392-169 WAC. ((See the special running start program definitions of full-time equivalent students in WAC 392-127-715 through 392-127-725, enrollment limitations in WAC 392-127-775, and related finance reporting requirements and limitations in WAC 392-127-795 through 392-127-820.))~~

NEW SECTION

WAC 392-121-188 Contracting with an agency.

Contracting with an agency may be counted as a course of study pursuant to WAC 392-121-107 if:

(1) Effective with the 1995-96 school year the school district board of directors in accordance with RCW 28A.320.015 adopts a resolution that concludes it is in the best interest of the students to expand the options available to providing an appropriate basic education program for those students that are to be educated pursuant to the contract and sets forth the rationale in support of the conclusion;

(2) The school district retains full responsibility for compliance with all state and federal laws;

(3) The agency complies with all state and federal laws that are applicable to the school district;

(4) The agency serves the students at no cost to the student for tuition and fees and enrollment is voluntary and no student or person is unlawfully excluded from participation on the grounds of race, creed, color, national origin, sex, marital status, or presence of any sensory, mental, or physical handicap;

(5) Each student is enrolled in the school district reporting the enrollment and each high school student is working toward course credits which satisfy high school graduation requirements;

(6) If an agency at any time during the school year serves more than twenty-five students which equals more than one quarter of one percent (.0025) of the district's annual average full-time equivalent enrollment claimed for basic education funding the school district reports the employees of the agency funded with any state moneys or federal moneys that flow through the school district on the SPI annual personnel reporting system for calculation of state funding, staff ratios and statistics;

(7) Effective with the 1995-96 school year for the students served pursuant to the contract, the agency maintains a ratio of full-time equivalent certificated instructional staff serving the annual average full-time equivalent students reported for basic education funding pursuant to this section which is at least equal to the district's basic education funding ratio for the grade level of the students being reported for basic education funding pursuant to this section;

(8) The school district and agency execute a written contract which is consistent with this section, and which sets forth the duties of the agency in detail sufficient to hold the agency accountable to the school district; and

(9) The school district and agency establish a process for periodic on-site monitoring by the school district for compliance with this section and other terms of the contract between the school district and agency.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 392-121-161 Definition—Kindergarten.
- WAC 392-121-181 Off-campus instruction requirements.

WSR 95-01-019

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Order 5064—Filed December 9, 1994, 2:25 p.m.]

Date of Adoption: December 9, 1994.

Purpose: To declare certain small seeded vegetable seed crops as nonfood sites of pesticide application.

Citation of Existing Rules Affected by this Order: Amending WAC 16-228-600.

Statutory Authority for Adoption: Chapters 15.58 and 17.21 RCW.

Pursuant to notice filed as WSR 94-21-088 on October 19, 1994.

Changes Other than Editing from Proposed to Adopted Version: Seed crops caraway and fennel were removed from the list.

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

December 9, 1994

Jim Jesernig

Director

AMENDATORY SECTION (Amending Order 1989, filed 10/19/88)

WAC 16-228-600 Use of pesticides on small seeded vegetable seed crops and seed alfalfa. (1) For purposes of pesticide registration, (~~all alfalfa seed crop fields~~) the following crops, when grown to produce seed specifically for crop reproduction purposes, are considered nonfood and nonfeed sites of pesticide use(, and the following conditions shall be met):

<u>Common Name</u>	<u>Synonyms</u>
<u>alfalfa</u>	
<u>arugula</u>	<u>Mediterranean salad, rucola, roquette, Ghargir</u>
<u>beet</u>	
<u>broccoli raab</u>	<u>Rapani, Choy Sum, Chinese flowering cabbage</u>
<u>Brussels sprouts</u>	
<u>cabbage</u>	
<u>carrot</u>	
<u>cauliflower</u>	
<u>Chinese cabbage</u>	<u>Pe-tsai</u>
<u>Chinese kale</u>	<u>Chinese broccoli</u>
<u>Chinese mustard</u>	<u>Pak Choi (Choy), Bok Choi (Choy)</u>
	<u>Taisai, celery mustard, spoon cabbage</u>
<u>collard</u>	
<u>coriander</u>	<u>cilantro</u>
<u>dill</u>	
<u>endive</u>	
<u>kale</u>	<u>bore kale</u>
<u>kohlrabi</u>	
<u>leek</u>	
<u>lettuce</u>	
<u>mustard</u>	
<u>onion (bulb)</u>	
<u>onion (bunching)</u>	

PERMANENT

parsley
parsnip
radish (other than daikon)
rape
rutabaga
spinach
spinach mustard
swiss chard spinach beet
turnip

(2) For the seed crops listed in subsection (1) of this section, the following conditions shall be met:

(a) All seed screenings shall be disposed of in such a way that they cannot be distributed or used for food or feed. The seed conditioner shall keep records of screening disposal for three years from the date of disposal and shall furnish the records to the director forthwith upon request. Disposal records shall consist of documentation from a controlled dump site, incinerator, or other equivalent disposal site and shall show the lot numbers, amount of material disposed of, its grower(s), and the date of disposal.

(b) No portion of the seed (~~(alfalfa)~~) plant, including but not limited to green chop, hay, pellets, meal, whole seed, (~~and~~) cracked seed, roots, bulbs, leaves and seed screenings may be used or distributed for food or feed purposes.

(c) All (~~(alfalfa)~~) seed from the crops listed in subsection (1) of this section grown or conditioned in this state shall bear a tag or container label which forbids use of the seed for human consumption or animal feed.

(d) No (~~(alfalfa)~~) seed from the crops listed in subsection (1) of this section grown or conditioned in this state may be distributed for human consumption or animal feed.

~~((2))~~ (3) Violation of any condition listed in subsection ~~((1))~~ (2) of this section is declared to be a violation of chapters 17.21 and 15.58 RCW.

~~((3) Alfalfa)~~ (4) Any seed crop certified under provisions of RCW 15.86.070, the Organic Food Products Act, shall be exempt from the requirements of this section.

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.

WSR 95-01-026
PERMANENT RULES
PUGET SOUND AIR
POLLUTION CONTROL AGENCY

[Filed December 9, 1994, 2:45 p.m.]

Date of Adoption: December 8, 1994.

Purpose: To fulfill Section 172 (c)(9) of the federal Clean Air Act which requires state implementation plans to contain one or more contingency measures that go into effect automatically if an area fails to meet the national ambient air quality standard by the required attainment date.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Pursuant to notice filed as WSR 94-22-075 on November 2, 1994.

Changes Other than Editing from Proposed to Adopted Version: Based on public comment from the Environmental Protection Agency, a change was made that makes it Puget

Sound Air Pollution Control Agency's responsibility rather than the Environmental Protection Agency's to determine the areas in which woodstoves not meeting the standards would be prohibited.

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

December 8, 1994

Gerald S. Pade

Air Pollution Engineer

NEW SECTION

REGULATION I SECTION 13.07 CONTINGENCY PLAN

The following provision is established for the sole purpose of a contingency measure to meet the requirements of Section 172 (c)(9) of the federal Clean Air Act. If the U.S. Environmental Protection Agency makes written findings that: (1) an area has failed to attain or maintain the national ambient air quality standard, and (2) in consultation with the Washington Department of Ecology and the Agency, finds that the emissions from solid fuel burning devices are a contributing factor to such failure to attain or maintain the standard, the use of woodstoves not meeting the standards set forth in RCW 70.94.457 shall be prohibited within the area determined by the Agency to have contributed to the violation. This provision shall take effect one year after such a determination.

WSR 95-01-029

PERMANENT RULES

OFFICE OF MARINE SAFETY

[Filed December 9, 1994, 3:30 p.m., effective June 7, 1995]

Date of Adoption: December 9, 1994.

Purpose: The rules will establish best achievable protection standards for approval of tank vessel oil spill prevention plans required under RCW 88.46.040.

Citation of Existing Rules Affected by this Order: Repealing chapter 317-20 WAC.

Statutory Authority for Adoption: RCW 43.211.030, 88.46.040.

Pursuant to notice filed as WSR 94-17-169 on August 24, 1994.

Changes Other than Editing from Proposed to Adopted Version: WAC 317-21-060, definition of "restricted visibility" is changed to conform with the International Rules of the Road. The terms "restricted waterway" and "underway" are replaced by "coastal" and "inland" to better define applicable areas for tank barge standards; and WAC 317-21-100, different forms of document control will be allowed to give owners and operators more flexibility.

The following WAC cites refer to the adopted version. The adopted version was renumbered for clarity and corresponding cites to the proposed version appear in brackets. WAC 317-21-200(3) and 317-21-205(2) [200 (1)(c) and 200(b)], additions, deletions, corrections to a vessel's voyage plan are expressly allowed; WAC 317-21-210(1) [200 (3)(1)], greater flexibility in the management and set-up of standby generators are permitted; WAC 317-21-210(2) [200 (3)(b)], different methods of monitoring steering gear flats are allowed to give owners and operators more flexibility; WAC 317-21-215 [200(4)], prearrival checks and inspections

PERMANENT

December 12, 1994
 Bruce Miyahara
 Secretary

that only apply to motor vessels are designated; WAC 317-21-220 (1)(b), only maintenance personnel who actually sail on tankers are required to undergo orientation training; WAC 317-21-235 [220(2)], alcohol testing and reporting is made more consistent with federal alcohol and drug testing requirements. Alcohol test equipment is not specified. Preemployment alcohol tests will not count toward the percentage of positive alcohol tests that determines eligibility for the random testing reduction incentive; WAC 317-21-240 [220(3)], performance appraisals are not required for crew members who do not serve on board vessels covered by a prevention plan for at least six months; WAC 317-21-300(2) [210 (1)(b)], security rounds for tank barge navigation light checks are only required when safe to do so; WAC 317-21-305(2) [210 (2)(b)], evaluation of bar crossing conditions are based on the master's judgment; WAC 317-21-305(3) [210 (2)(c)], navigation equipment checks on tow vessels are required where applicable; WAC 317-21-310(1) and 317-21-325 [230 (1)(a) and 230(1)], the phrase "tank barge crew" is replaced by "personnel employed on tank barges during oil transfers"; WAC 317-21-260(4) [240(4)], company management visits to vessels in lay-up status are not required; WAC 317-21-340(1) [270(1)], GPS receivers are not required on inland tank barge tow vessels. Radar is required on all tank barge tow vessels; WAC 317-21-340(2) [270(2)], differences in towing equipment requirements between coastal and inland towing are more clearly defined. Standards for wire rope records, inspection and maintenance are added; WAC 317-21-530 [430], a plan update is not required for crew members who test positive for drugs or alcohol; and WAC 317-21-550 [450], the purpose of conducting OMS investigations is clarified.

Effective Date of Rule: June 7, 1995.

December 9, 1994
 Barbara Herman
 Director

Reviser's note: The material contained in this filing will appear in the 95-03 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 95-01-038
PERMANENT RULES
DEPARTMENT OF HEALTH

[Filed December 12, 1994, 2:46 p.m., effective January 1, 1995]

Date of Adoption: December 8, 1994.

Purpose: Reduce surplus revenue.

Citation of Existing Rules Affected by this Order:
 Amending WAC 246-802-990.

Statutory Authority for Adoption: RCW 43.70.250, chapter 18.06 RCW.

Pursuant to notice filed as WSR 94-22-054 on November 1, 1994.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: January 1, 1995, implementation date to provide for standardization of fees for all licensees.

Effective Date of Rule: January 1, 1995.

AMENDATORY SECTION (Amending Order 295B, filed 8/13/92, effective 9/13/92)

WAC 246-802-990 Acupuncture fees. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Application nonrefundable	\$200.00
Annual license renewal	((610.00)) 240.00
Inactive renewal	((225.00)) 110.00
Late renewal penalty	100.00
Duplicate license	15.00
Certification	25.00
Acupuncture training program application	500.00

WSR 95-01-040
PERMANENT RULES
COMMUNITY COLLEGES
OF SPOKANE

[Filed December 12, 1994, 2:54 p.m.]

Date of Adoption: October 18, 1994.

Purpose: To clarify and add to the types of prohibited conduct.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Pursuant to notice filed as WSR 94-18-087 on September 2, 1994.

Effective Date of Rule: Thirty-one days after filing.
 October 18, 1994

Geoffrey J. Eng
 District Director
 Affirmative Action
 Administrative Services

NEW SECTION

WAC 132Q-04-061 Plagiarism. Any student who presents the words or ideas of another in direct quotation, indirect quotation, or close paraphrase, must provide acknowledgement. Failure to do so shall constitute plagiarism. Plagiarism shall be cause for disciplinary action.

WSR 95-01-041
PERMANENT RULES
COMMUNITY COLLEGES
OF SPOKANE

[Filed December 12, 1994, 2:55 p.m.]

Date of Adoption: October 18, 1994.

Purpose: To clarify and add to the types of prohibited conduct.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Pursuant to notice filed as WSR 94-18-089 on September 2, 1994.

PERMANENT

Effective Date of Rule: Thirty-one days after filing.
 October 18, 1994
 Geoffrey J. Eng
 District Director
 Affirmative Action
 Administrative Services

NEW SECTION

WAC 132Q-04-094 Misuse of computer privileges. Access to computing facilities is a privilege granted to CCS students, staff and faculty and to those who arrange special rental permits. Computers may not be used for personal financial gain. Unauthorized access, use and/or experimentation can result in permanent loss of computer privileges, probation, suspension, expulsion, requirements to make financial restitution, a fine and/or imprisonment. For further information see: For further information see RCW 9A.52.110-130, 20 USCS 1232g RCW 42.18.217, RCW 9A.48.070-100, RCW 9.73.030, .060, .080, WAC 172-120 et seq., 17 USC Section 501 et seq.

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 95-01-042
 PERMANENT RULES
 COMMUNITY COLLEGES
 OF SPOKANE**

[Filed December 12, 1994, 2:56 p.m.]

Date of Adoption: October 18, 1994.

Purpose: To clarify and add to the types of prohibited conduct.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Pursuant to notice filed as WSR 94-18-090 on September 2, 1994.

Effective Date of Rule: Thirty-one days after filing.
 October 18, 1994
 Geoffrey J. Eng
 District Director
 Affirmative Action
 Administrative Services

NEW SECTION

WAC 132Q-04-083 Assault. Any student who shall, with criminal negligence, cause bodily harm to another person by any means or other instrument or thing likely to produce bodily harm; or with criminal negligence, causes bodily harm accompanied by substantial pain that extends for a period sufficient to cause considerable suffering, will be subject to disciplinary action. RCW 9A.36.011, 021, 031, and 041 is guidance for this regulation.

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 95-01-043
 PERMANENT RULES
 COMMUNITY COLLEGES
 OF SPOKANE**

[Filed December 12, 1994, 2:57 p.m.]

Date of Adoption: October 18, 1994.

Purpose: To clarify and add to the types of prohibited conduct.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Pursuant to notice filed as WSR 94-18-091 on September 2, 1994.

Effective Date of Rule: Thirty-one days after filing.
 October 18, 1994
 Geoffrey J. Eng
 District Director
 Affirmative Action
 Administrative Services

NEW SECTION

WAC 132Q-04-082 Threatening/objectionable behavior. Any student who shall knowingly threaten, or cause bodily injury in the future to the person; or to cause physical damage to the property of a person other than the actor; or to subject the person threatened or any other person to physical confinement or restraint; or maliciously to do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical or mental health or safety; and the person by words or conduct places the person threatened in reasonable fear that the threat may be carried out will be subject to disciplinary action. RCW 9A.46.020 shall be guidance for this regulation.

**WSR 95-01-044
 PERMANENT RULES
 COMMUNITY COLLEGES
 OF SPOKANE**

[Filed December 12, 1994, 2:58 p.m.]

Date of Adoption: October 18, 1994.

Purpose: To clarify and add to the types of prohibited conduct.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Pursuant to notice filed as WSR 94-18-092 on September 2, 1994.

Effective Date of Rule: Thirty-one days after filing.
 October 18, 1994
 Geoffrey J. Eng
 District Director
 Affirmative Action
 Administrative Services

NEW SECTION

WAC 132Q-04-081 Stalking. Any student who shall intentionally and repeatedly follow another person to that person's home, school, place of employment, business, or any other location, or follows the person while in transit between locations may be subject to disciplinary action if the person being followed is intimidated, harassed, or placed in fear that

the stalker intends to injure the person or property of the person being followed, or another person. The feeling of fear, intimidation, or harassment must be one that a reasonable person in the same situation would experience under all the circumstances. RCW 9A.46.110 shall be guidance for this regulation.

WSR 95-01-050
PERMANENT RULES
UTILITIES AND TRANSPORTATION
COMMISSION

[Order R-424, Docket No. UG-940085—Filed December 13, 1994, 3:13 p.m.]

In the matter of amending WAC 480-90-021, 480-90-051, 480-90-071, 480-90-072, 480-90-096, 480-90-166, 480-90-171 and 480-90-181, relating to the glossary, deposits, discontinuance of service, payment arrangements and responsibilities, complaints and disputes, statement of test procedures, frequency of periodic meter tests, and filing of records, reports and the preservation of records; and adopting WAC 480-90-211 relating to business offices and payment agencies.

The Washington Utilities and Transportation Commission takes this action under Notice No. WSR 94-20-101, filed with the code reviser on October 4, 1994. The commission brings this proceeding pursuant to RCW 80.01.040.

This proceeding complies with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 34.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

The commission scheduled this matter for oral comment and adoption under Notice No. WSR 94-20-101, for 9:00 a.m., Wednesday, November 23, 1994, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA. The notice provided interested persons the opportunity to submit written comments to the commission until November 9, 1994.

The commission developed these proposed rules concurrently with parallel rules for the electric industry. It held a series of meetings with representatives of, and other persons interested in the rules of, both industries. The docket dealing with the electric rules is Docket No. UE-940084. The proposed electric rules were noticed under WSR 94-20-102, filed with the code reviser on October 4, 1994. That notice set out the same schedule as for this docket.

Written comments were submitted by Ron Amen for Washington Natural Gas; David Girard of Evergreen Legal Services for Puget Sound Council of Senior Citizens; and the commission staff. David Hoff for Puget Sound Power & Light Company and J. M. Brookhouse for PacifiCorp submitted comments on the proposed parallel electric rules which the commission also considered in this docket.

The rule change proposal was considered for adoption at the commission's regularly scheduled open public meeting on November 23, 1994, before Chairman Sharon L. Nelson, Commissioner Richard Hemstad and Commissioner William

R. Gillis. Oral comments were made by David Girard of Evergreen Legal Services for Puget Sound Council of Senior Citizens; Ron Amen for Washington Natural Gas; and Jeffrey Goltz, Senior Assistant Attorney General, and Roger Kouchi for commission staff. Lynn Logen and Jerry Lehenbauer for Puget Sound Power & Light Company commented on the proposed parallel electric rules; the commission considered their comments in this docket also.

After considering the written and oral comments, the commission made the following changes, other than minor editing, from the proposed version.

The commission made the following changes, other than minor editing, from the proposed to adopted version.

WAC 480-90-021, in subsection (14), the commission deleted redundant wording for the purpose of clarity and brevity.

WAC 480-90-051, the commission reorganized subsection (3), deposit requirements, to make the rule clearer.

WAC 480-90-166, the commission made minor revisions for purpose of clarity, and to make the gas rule congruent with the corresponding electric rule.

WAC 480-90-211, the commission revised the proposal to make it clear that the rule is not intended to require any particular staffing configuration in business offices and customer service centers, but only to require that companies provide applicants and customers reasonable access to company representatives for conducting business. The commission made minor wording changes to make the rule clearer.

In reviewing the entire record, the commission determines that WAC 480-90-211 should be adopted and WAC 480-90-021, 480-90-051, 480-90-071, 480-90-072, 480-90-096, 480-90-166, 480-90-171, and 480-90-181 should be amended to read as set forth in Appendix A, as rules of the Washington Utilities and Transportation Commission, to take effect pursuant to RCW 34.05.380.

ORDER

THE COMMISSION ORDERS That WAC 480-90-211 is adopted and WAC 480-90-021, 480-90-051, 480-90-071, 480-90-072, 480-90-096, 480-90-166, 480-90-171, and 480-90-181 are amended to read as set forth in Appendix A, as rules of the Washington Utilities and Transportation Commission, to take effect pursuant to RCW 34.05.380.

THE COMMISSION FURTHER ORDERS That this order and the rules shown below, after being recorded in the register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

THE COMMISSION Adopts the commission staff memoranda, presented at the times the commission considered noticing and adopting this proposal, together with the supplemental summary of comments and responses prepared after the November 23, 1994, open public meeting, as its concise explanatory statement of the reasons for adoption, under RCW 34.05.355.

DATED at Olympia, Washington, this 12th day of December 1994.

Washington Utilities and Transportation Commission
Sharon L. Nelson, Chairman
Richard Hemstad, Commissioner
William R. Gillis, Commissioner

AMENDATORY SECTION (Amending Order R-279, Cause No. U-87-590-R, filed 11/12/87)

WAC 480-90-021 Glossary. (1) Commission - the Washington utilities and transportation commission.

(2) Utility - any corporation, company, association, joint stock association, partnership, person, their lessees, trustees or receivers appointed by any court whatsoever, owning, controlling, operating or managing any gas plant within the state of Washington for the purpose of furnishing gas service to the public for hire and subject to the jurisdiction of the commission.

(3) Customer - any person, partnership, firm, corporation, municipality, co-operative organization, governmental agency, etc., who or which is receiving service from a utility or has completed an application to any utility for service.

(4) Gas - any fuel gas, whether manufactured, natural, liquid petroleum or any mixture of these.

(a) Natural gas - a mixture of gaseous hydrocarbons and nonhydrocarbons, chiefly methane, occurring naturally in the earth which is delivered from the producing equipment to the customers through transmission and/or distribution systems.

(b) Liquefied petroleum gas - a gas consisting of vapors of one or more of the paraffin hydrocarbons, or a combination of one or more of these vapors with air.

(c) Manufactured gas - any gas produced artificially by any process in which the gas is delivered from the generating or producing equipment into the transmission or distribution system.

(5) Cubic foot of gas - a volumetric unit of measure used in sales and testing.

(a) Sales - for the purpose of measuring gas for billing a cubic foot is normally that amount which occupies a volume of one cubic foot under the conditions existing in the customer's meter and as indicated thereon. However pressure and/or temperature recording or compensating devices may be employed to reflect other temperature or pressure base conditions for computing the volume sold. When temperature and/or pressure compensation factors are to be used to compute the volume of gas sold they will be used as set forth in the utility's tariff.

(b) Testing - for the purpose of testing, a cubic foot of gas shall be that amount which occupies a volume of one cubic foot at a temperature of sixty degrees fahrenheit and pressure of 14.73 pounds per square inch absolute (~~and free of water vapor, occupies a volume of one cubic foot~~).

(6) British thermal unit (Btu) - the quality of heat required to raise the temperature of one pound of water at 60° fahrenheit and standard pressure, one degree fahrenheit.

(7) Therm - a unit of heat equal to 100,000 Btu's.

(8) Meter test - a test of the volumetric accuracy of a meter.

(a) Periodic test - a routine test made in the regular course of a utility's operation.

(b) Complaint test - a test made as the result of a customer request.

(c) Proof test - a test made prior to each setting of a meter. New meters which are, upon receipt by the utility, acceptance tested to an acceptable sampling plan need not be 100% proof tested prior to the initial installation.

(d) Special test - any test other than a periodic, complaint or proof test.

(9) Energy assistance grantee - a grantee of the department of community development which administers federally funded energy assistance programs.

(10) Household income - the total of all household members as determined by a grantee of the department of community development.

(11) Payment arrangement - payment schedule by written or oral agreement between the customer and the utility.

(12) Payment plan - payment schedule by written agreement between the customer and the utility under WAC 480-90-072(3).

(13) Winter period - November 15 through March 15.

(14) Similar class of service - Business or residential. For establishment and administration of credit there are two classes of service. These two classes of service are business and residential. Business class of service includes all service classes other than residential.

In the application of these rules, those terms used in the public service laws of the state of Washington will have the meaning therein ascribed to them.

Terms not defined in these rules or the applicable statutes are to be given that meaning generally accepted in the gas industry.

AMENDATORY SECTION (Amending Order R-279, Cause No. U-87-590-R, filed 11/12/87)

WAC 480-90-051 ((Deposits-)) Establishment of credit. (1) Establishment of credit - residential. An applicant for residential service may establish credit by demonstrating to the utility any one of the following factors(±). However, a deposit still may be requested under the criteria outlined in subsection (3) of this section.

(a) Prior service with the utility in question during the next previous 12 months for at least six consecutive months during which service was rendered and was not disconnected for failure to pay, and no more than one delinquency notice was served upon the customer.

(b) Prior service with a utility of the same type as that of which service is sought with a satisfactory payment record as demonstrated in (a) above, provided that the reference may be quickly and easily checked, and the necessary information is provided.

(c) ((Full-time)) Consecutive employment during the entire 12 months next previous to the application for service, with no more than two employers, and the applicant is currently employed or has a ((regular)) stable source of income.

(d) ((Ownership of a significant legal interest in)) Applicant owns or is purchasing the premises to be served.

(e) Furnishing of a satisfactory guarantor to secure payment of bills for service requested in a specified amount not to exceed the amount of cash deposit which may be required.

(f) Demonstration that applicant is a satisfactory risk by appropriate means including, but not limited to, the production in person at a listed business office of two major credit cards, or other credit references, which may be quickly and easily checked by the utility.

(2) Establishment of credit - nonresidential. An applicant for nonresidential service may be required to demon-

strate that it is a satisfactory credit risk by reasonable means appropriate under the circumstances.

(3) Deposit requirements. A deposit may be required under any one of the following circumstances(+); provided, that during the winter period no deposit may be required of a customer who in accordance with WAC 480-90-072 (4)(a), has notified the utility of inability to pay a security deposit and has satisfied the remaining requirements to qualify for a payment plan.

(a) Where the applicant has failed to establish a satisfactory credit history as outlined above.

(b) ~~(In any event, a deposit may be required)~~ When, within the last 12 months ~~((prior to the application, the))~~ an applicant's ~~((service of a))~~ or customer's similar ~~((type))~~ class of service has been disconnected for failure to pay amounts owing ~~((, when due, where))~~ to any electric or gas utility;

(c) There is an unpaid, overdue balance owing to any electric or gas utility for similar class of service ~~((from the utility to which application is being made or from any other gas or electric company, or where two));~~

(d) Three or more delinquency notices have been served upon the applicant or customer by any ~~((other))~~ gas or electric company during the most recent 12 months ~~((previous to the application for service; provided, that during the winter period no deposit may be required of a customer who in accordance with WAC 480-90-072 (4)(a), has notified the utility of inability to pay a security deposit and has satisfied the remaining requirements to qualify for a payment plan.));~~

~~((+))~~ (e) Initiation or continuation of service to a residence where a prior customer still resides and where any balance for such service to that prior customer is past due or owing to the company seeking the deposit.

(4) Amount of deposit. In instances where a deposit may be required by the utility, the deposit shall not exceed two-twelfths of estimated annual billings for utilities billing monthly and three-twelfths of estimated annual billings for utilities billing bimonthly.

(5) Transfer of deposit. Where a customer of whom a deposit is required transfers ~~((his))~~ service to a new location within the same utility's service area, the deposit, plus accrued interest, less any outstanding balance from the current account, shall be transferable and applicable to the new service location.

(6) Interest on deposits. Interest on deposits held shall be accrued at a rate based upon a simple average of the effective interest rate for new issues of one year treasury bills, computed from December 1 of each year, continuing through November 30 of the following year. Deposits ~~((would))~~ shall earn that interest rate during January 1 through December 31 of the subsequent year. Interest shall be computed from the ~~((time))~~ date of the deposit payment or payments are made to the ~~((time))~~ date of refund or total application of the deposit to the current account and shall be compounded or paid annually.

(7) Extended payment of deposits. Where a customer or applicant for service of whom a deposit is required is unable to pay the entire amount of the deposit in advance of connection or continuation of service, the customer or applicant shall be allowed to pay 50 percent of the deposit amount prior to service, with the remaining amount payable in equal monthly amounts ~~((on the utility's ordinary billing~~

~~cycle during the first))~~ over the following two months ~~((of service))~~ with dates corresponding to the initial payment date, unless the company and the customer have agreed upon other mutually acceptable arrangements. A customer or applicant who is unable to meet this deposit requirement shall have the opportunity to receive service under subsection (8), alternative to deposit, next below.

(8) Alternative to deposit. A customer or applicant for service of whom a deposit is required, but who is unable to make a deposit, shall be allowed, as an alternative to the making of a deposit, to prepay any installation charges and reasonably estimated regular service charges or budget billings at periods corresponding to the utility's regular billing period for the length of time during which a deposit would ordinarily have been required. The customer shall then be billed in a normal fashion.

(9) When payment is made by cash, a receipt shall be furnished to each applicant or customer for the amount deposited.

(10) Refund of deposits. Deposits plus accrued interest shall be refunded under the following circumstances and in the following form:

(a) Satisfactory payment. Where the customer has for 12 consecutive months following initial payment of the deposit paid for service when due in a prompt and satisfactory manner as evidenced by the following:

(i) The utility has not initiated disconnection proceedings against the customer.

(ii) No more than two notices of delinquency have been made to the customer by the utility.

(b) Termination of service. Upon termination of service, the utility shall return to the customer the amount then on deposit plus accrued interest, less any amounts due the utility by the customer for service rendered.

(c) Refunds - how made. Any deposit, plus accrued interest, ~~((shall))~~ may be ~~((refunded to the customer either))~~ applied to the customer's account for which the deposit was collected to secure. Upon the customer's request, a refund in the form of a check shall be issued and mailed to the customer ~~((no longer than))~~ within 15 days following completion of 12 months ~~((2))~~ of satisfactory payment as described ~~((above, or applied to the customer's bill for service in the 13th and, if appropriate, subsequent months, in accordance with the preference as to form of refund indicated by the customer at the time of deposit or as thereafter modified))~~ in (a) of this subsection. Prior to issuance of the refund, the customer may request that such check be made available at a local business office rather than sent by mail.

(11) Nothing in this rule shall prevent the requirement of a larger deposit or a new deposit when conditions warrant. Should a larger or new deposit be required, the reasons therefor shall be specified in writing to the customer. Any requirement for a new or larger deposit shall be in conformity with the standards set forth in this rule.

(12) Any new or additional deposit required, after service is established, is due and payable no sooner than 5:00 p.m. of the sixth business day after notice of the deposit requirement is mailed or delivered in person to the customer.

AMENDATORY SECTION (Amending Order R-305, Docket No. U-89-2707-R, filed 8/9/89, effective 9/9/89)

WAC 480-90-071 Discontinuance of service. By customer - a customer shall be required to give notice to the utility of his or her intention to discontinue service.

By utility -

(1) Service may be discontinued by the utility for any of the following reasons:

(a) For the nonpayment of bills. The utility shall require that bills for service be paid within a specified time after issuance. The minimum specified time shall be fifteen days. Upon the expiration of said specified time without payment, payment arrangement, or a payment plan, the bill may be considered delinquent.

(b) For the use of gas for purposes or properties other than that specified in the application.

(c) Under flat rate service, for increased use of gas without approval of the utility.

(d) For willful waste of gas through improper or imperfect pipes, fixtures, or otherwise.

(e) For failure of the customer to eliminate any hazardous condition found to exist in his facilities (i.e., piping, venting, appliances, etc.).

(f) For tampering with the utility's property.

(g) In case of vacation of the premises by customer.

(h) For nonpayment of any proper charges, including deposit, as provided in the tariff of the utility, unless the customer has notified the utility of inability to pay a deposit in accordance with WAC 480-90-072 (4)(a) and has satisfied the remaining requirements to qualify for a payment plan.

(i) For payment of a delinquent balance with a check that is dishonored by a bank or other financial institution. If the customer pays with a dishonored check after the company has issued appropriate notice, pursuant to subsection (2) of this section, no further notice is required.

(j) For refusal to comply with provisions of WAC 480-90-091, access to premises.

~~((j))~~ (k) For violation of rules, service agreements, or filed tariff(s).

~~((k))~~ (l) For use of equipment which adversely affects the utility's service to its other customers.

~~((l))~~ (m) For fraudulent obtaining or use of service. Whenever a fraudulent obtaining or use of the service is detected the utility may discontinue service without notice: Provided, however, That if the customer shall make immediate payment for such estimated amount of service as had been fraudulently taken and all costs resulting from such fraudulent use, the utility shall continue such service, subject to any applicable deposit requirements. If a second offense as to fraudulent obtaining or use is detected the utility may refuse to reestablish service subject to appeal to the commission. The burden of proof of such fraudulent obtaining or use will be upon the utility in case of an appeal to the commission. This rule shall not be interpreted as relieving the customer or other person of civil or criminal responsibility. For purposes of these rules, a nonsufficient fund check does not in and of itself constitute fraud.

~~((m))~~ (n) For failure to keep any agreed upon payment plan.

(2) Except in case of danger to life or property, fraudulent use, impairment of service, or violation of law, no utility

shall discontinue service unless the following conditions are met:

(a)(i) Each utility shall provide written notice of disconnection served on the customer either by mail or, at its option, by personal delivery of the notice to the customer's address. If such written notice of disconnection is for nonpayment during the winter period, the utility shall advise the customer of the payment plan which is available pursuant to WAC 480-90-072(3), payment arrangements and responsibilities. If a mailed notice is elected, service shall not be disconnected prior to the eighth business day following mailing of the notice. If personal delivery is elected, disconnection shall not be permitted prior to 5 p.m. of the first business day following delivery. Delivered notice shall be deemed effective if handed to a person of apparent competence in the residence or, if a business account, a person employed at the place of business of the service customer. If no person is available to receive notice, notice shall be deemed served if attached to the primary door of the residence unit or business office at which service is provided. If such delivered notice is for nonpayment of a deposit, disconnection shall not be permitted prior to 5:00 p.m. of the sixth business day after written notice of the deposit requirement is mailed or delivered in person to the customer.

(ii) If service is not discontinued within ten working days of the first day on which disconnection may be effected, unless other mutually acceptable arrangements have been made, that disconnect notice shall become void and a new notice shall be required before the service can be discontinued.

(iii) All notices of delinquency or pending disconnection shall detail procedures pertinent to the situation such as providing notice of means by which the subscriber can make contact with the utility to resolve any differences or avail themselves of rights and remedies as set forth in WAC 480-90-096 (complaints and disputes). All notices must accurately state amounts owing for service(s) which are subject to disconnection. A new notice will be required in cases where information is incorrect.

(b)(i) Before effecting disconnection of service, a utility shall make a good faith, bona fide effort to reach the customer in person ~~((or))~~ by telephone or by additional mailed notice to advise the customer of the pending disconnection and the reasons therefor.

(A) Where telephone contact is elected, at least two attempts to reach a customer by telephone shall be made during the utility's regular business hours. If a business or message telephone number is provided by the customer, the utility shall endeavor by that means to reach the customer if unable to make contact through the customer's home telephone. A log or record of the attempts shall be maintained a minimum of 90 days by the utility showing the telephone number called ~~((and))~~, the time of call, and details of the results of each attempt. When the company has been unable to reach the customer by telephone, a written notice shall be mailed a minimum of three business days prior to the intended date of disconnection.

(B) Where additional written notice is elected, disconnection shall not be permitted prior to 5:00 p.m. of the third business day following mailing of such notice. The day of mailing will not be considered the first day of the three-day notice period. ~~((Telephone or personal contact))~~

(C) Additional mailed notice, telephone attempts, or delivered notice shall not be a substitute for written notice of disconnection ~~((as))~~ specified ~~((above))~~ in (a) of this subsection.

(ii) Where the service address is different from the billing address, the utility shall in all instances prior to effecting discontinuance of service upon its own initiative provide notice to the service address except as provided in ~~((subsection (2)))(e)~~ of this ~~((section))~~ subsection regarding master meters. If personal service is effected upon the billing address, then personal service must be effected upon the service address; if service by mail is effected to the billing address, then service by mail must also be effected to the service address.

(iii) When a customer of record orders termination of service at a service address, and the utility through its representative discovers that the actual service user at the service address has no prior notice of such termination, the utility shall delay termination for at least one complete business day following provision of actual notice to the service user.

~~((iv) All notices of delinquency or pending disconnection shall detail procedures pertinent to the situation and provide notice of means by which the customer can make contact with the utility to resolve any differences or avail himself or herself of rights and remedies as set forth in WAC 480-90-096 (complaints and disputes) herein.))~~

(c) Except in case of danger to life or property, no disconnection shall be accomplished on Saturdays, Sundays, legal holidays, or on any other day on which the utility cannot reestablish service on the same or following day.

(d) When a utility employee is dispatched to disconnect service, that person shall be required to accept payment of a delinquent account at the service address if tendered in cash, but shall not be required to dispense change for cash tendered in excess of the amount due and owing. Any excess payment shall be credited to the customer's account. The utility shall be permitted to assess a reasonable fee as provided for in the tariff of the utility for the disconnection visit to the service address. Notice of the amount of such fee, if any, shall be provided within the notice of disconnection.

(e) Where service is provided through a master meter, or where the utility has reasonable grounds to believe service is to other than the customer of record, the utility shall undertake all reasonable efforts to inform occupants of the service address of the impending disconnection. Upon request of one or more service users, where service is to other than the subscriber of record, a minimum period of five days shall be allowed to permit the service users to arrange for continued service.

(f) Where service is provided to a hospital, medical clinic with resident patients, or nursing home, notice of pending disconnection shall be provided to the director, Washington state department of social and health services, as well as to the customer. Upon request from the director or his designee, a delay in disconnection of no less than five business days from the date of notice shall be allowed so that the department may take whatever steps are necessary in its view to protect the interests of patients resident therein who are responsibilities of the department.

(g) Service may not be disconnected while a customer is pursuing any remedy or appeal provided for by these rules, provided any amounts not in dispute are paid when due. The customer shall be so informed by the utility upon referral of a complaint to a utility supervisor or the commission.

(h)(i) When a utility has cause to disconnect or has disconnected utility service, the utility shall postpone termination of ~~((utility))~~ service or will reinstate service to a residential customer ~~((for thirty days from the date of receipt of a certificate by a licensed physician which states that termination of gas service will aggravate an existing medical condition or create a medical emergency for the customer, a member of the customer's family, or other permanent resident of the premises where service is rendered))~~ after receiving notification of the existence of a medical emergency, for a grace period of five business days. ~~((Where))~~ When service is reinstated, payment of a reconnection charge and/or a deposit shall not be required prior to such reinstatement of service.

(ii) ~~((This certificate of medical emergency must be in writing and show clearly the name of the person whose medical emergency would be adversely affected by termination, the nature of the medical emergency, and the))~~ Following the initial notification by the customer of the existence of a medical emergency, the company may require the customer to submit written certification of the medical emergency from a qualified medical professional within five business days. Qualified medical professional means a licensed physician, nurse practitioner, or physician's assistant authorized to diagnose and treat the medical condition described without direct supervision by a physician. Nothing in this section precludes a company from accepting other forms of certification but the maximum the company can require is written certification. If the company requires written certification it may, at its option, require that the certification include some or all of the following information:

(A) A statement that termination of service will aggravate an existing medical condition or create a medical emergency for the customer, a member of the customer's family, or other permanent resident of the premises where service is rendered;

(B) The name of the resident whose health will be affected by the disconnection of service, and the relationship to the customer;

(C) A description of the health condition(s);

(D) An explanation of how the physical health of the person will be endangered by the disconnection of service;

(E) A statement of how long the condition is expected to last;

(F) A list of the equipment for which gas service is needed, if applicable; and

(G) The name, title, and signature of the person certifying the medical emergency. ~~((If a notice of disconnection has been issued and the customer notifies the utility that a medical emergency exists, the customer shall be allowed five business days from when the utility is so notified to provide the utility with a certificate of medical emergency.))~~

(iii) If ~~((this))~~ the five-day grace period extends beyond the time set for discontinuance of service, the utility shall extend the time of discontinuance until the end of the five-

day period. If service has been discontinued and the customer requests reconnection of service due to a medical emergency, the utility shall reconnect service and the customer shall be allowed five business days to provide the utility with a certificate of medical emergency. If the utility does not receive a certificate of medical emergency within the prescribed time limit set herein, the utility may discontinue service following an additional ~~((twenty-four hour notice to the premises-~~

~~((iii))) notification prior to disconnect as delineated in (b)(i) of this subsection.~~

(iv) The written medical certification shall be valid only for the length of time the health endangerment is certified to exist but no longer than 30 days without renewal.

(v) A medical emergency does not excuse a customer from paying delinquent and ongoing charges. During the five business day period, in conjunction with the provision of a medical certificate, the company may require the subscriber to pay 10 percent of the delinquent balance and enter into an agreement to pay the entire remaining delinquent balance within 120 days and pay subsequent bills when due. Nothing in this section precludes the company from entering into an alternate payment plan, but the company may not require the subscriber to pay more than that which is prescribed in this subsection. The company shall send a notice confirming the payment arrangements within two business days.

(vi) If the subscriber fails to abide by the terms of the payment agreement, service may be disconnected following notification of the customer in person, or by additional mailed notice as provided for in (b)(i) of this subsection. If telephone contact is elected, the company must make contact with the customer.

(vii) Any customer may designate a third party to receive notice of termination or other matters affecting the provision of service. The utility shall offer all customers the opportunity to make such designation. When the utility discovers that a customer appears to be unable to comprehend the impact of a termination of service, it shall consider an appropriate social agency to be third party. In either case, it shall not effect termination until five business days after provision of notice to the third party. Utilities shall discover which social agencies are appropriate for and willing to receive such notice, and the name and/or title of the person able to deal with the termination situation, and shall inform the commission on a current basis which agencies and position titles receive such notifications.

(3) Payment of any delinquent amounts to a designated payment agency of the utility shall constitute payment to the utility, if the customer informs the utility of such payment and the utility verifies such payment.

(4) Service shall be restored when the causes of discontinuance have been removed and when payment of all proper charges due from the customer, including any proper deposit, has been made as provided for in the tariff of the utility; or as the commission may order pending resolution of any bona fide dispute between the utility and customer over the propriety of disconnection.

(5) A utility may make a charge for restoring service when service has been discontinued for nonpayment of bills. The amount of such charge is to be specified in the utility's tariff.

AMENDATORY SECTION (Amending Order R-279, Cause No. U-87-590-R), filed 11/12/87)

WAC 480-90-072 Payment arrangements and responsibilities. (1) The utility shall offer residential customers the option of a budget billing or equal payment plan which ~~((plan))~~ shall be set out in the utility's tariff. The budget billing or equal payment shall be offered ~~((to low income customers eligible under the state's plan for low income energy assistance))~~ without regard to time of year, home ownership, or duration of occupancy, unless the customer was removed from the budget program for nonpayment within the past six months or has more than a two-month balance on their current account. The utility may offer budget billing to any customer when it believes this would be in the best interest of all parties concerned. ((The plan for low income customers, if different from the plan offered to residential customers, shall also be set out in the utility's tariff.))

(2) Residential customers shall be notified that the utility, upon contact by a customer whose account is delinquent or who desires to avoid a delinquency, will make extended payment arrangements appropriate for both the customer and the utility. If the customer fails to propose payment terms acceptable to the utility, the utility shall advise a customer of the payment plan set forth in subsection (3) of this section, if appropriate.

(3) During the winter period the utility shall offer the following payment plan if the residential space heating customer qualifies under subsection (4) of this section and if the customer agrees:

(a) To a payment plan designed both to pay the past due bill by the following October 15 and to pay for continued utility service;

(b) To pay a monthly payment during the winter period not to exceed seven percent of the monthly household income during the winter period plus one-twelfth of any billing accrued from the date application is made and thereafter through March 15. A customer may agree to pay a higher percentage of their income during this period, but the customer shall not be in default unless payment during this period is less than the amount calculated in accordance with the formula above;

(c) To certify to the utility that any home heating assistance payment received by the customer from applicable government and/or private sector organizations subsequent to implementation of the plan shall be the basis for the customer to contact the utility to reformulate the plan;

(d) Customers who qualify for the payment plan under this section who default on their payment plan and are disconnected in accordance with the procedures set forth in WAC 480-90-071, discontinuance of service, shall be reconnected and maintain the protections afforded under this chapter by paying reconnection charges, if any, and by paying all amounts that would have been due and owing under the terms of the payment plan, absent default, on the date on which service is reconnected;

(e) To pay the moneys owed even if he or she moves.

A customer's failure to make a payment provided for in this section shall entitle the utility to discontinue service in accordance with the procedures set forth in WAC 480-90-071, discontinuance of service.

The utility shall furnish to the customer entering into an extended payment plan a written copy of the plan.

(4) The customer shall meet the following requirements in order to qualify for payment arrangements as provided in subsection (3) of this section:

(a) Within five business days of receiving a notice of disconnection, notify the utility in person, in writing, or through telephone contact of inability to pay the bill currently or a deposit, unless there are extenuating circumstances;

(b) Provides self-certification of household income for the prior twelve months to an energy assistance grantee. The grantee shall determine that the household income does not exceed the maximum allowed for eligibility under the state's plan for low-income energy assistance and shall provide a dollar figure that is seven percent of the household income within thirty days of the date on which the utility was notified of the inability to pay as in (a) of this subsection. Certification may be subject to verification by a grantee of the department of community development;

(c) Apply for home energy assistance from appropriate government and/or private sector organizations and certify that any assistance received will be applied to their current and future utility bills;

(d) Apply to the utility or other appropriate agency for low income weatherization assistance if such assistance is available for the dwelling;

(e) Agrees to a payment plan designed to pay the past due bill by the following October 15, as well as paying for continued utility service.

AMENDATORY SECTION (Amending Order R-83, filed 6/30/76)

WAC 480-90-096 Complaints and disputes. Any complaint or dispute involving a utility and a customer shall be treated in the following manner:

(1) Each complaint or dispute received by a utility shall be investigated promptly as required by the particular case, and the result reported to the applicant or customer. When circumstances indicate the need for corrective action, such action shall be taken as soon as possible.

(2) Each utility shall ensure that personnel engaged in initial contact with a dissatisfied or complaining applicant or customer shall inform the customer that if dissatisfied with the decision or the explanation that is provided, the customer has the right to have that problem considered and acted upon by supervisory personnel. The customer shall be provided with the name or department of such supervisory personnel and a telephone number by which they may be reached.

(3) Each utility shall ensure that supervisory personnel contacted by a dissatisfied applicant or customer shall inform a still-dissatisfied applicant or customer of the availability of the commission for further review of any complaint or dispute. The toll-free telephone number and address of the commission shall also be provided.

(4) All parties to a dispute between an applicant or customer and the utility shall have the right to bring before the commission an informal complaint pursuant to the provisions of WAC ~~((480-08-040))~~ 480-09-150 and/or a formal complaint pursuant to the provisions of WAC ~~((480-08-050))~~ 480-09-420.

(5) When a complaint is referred to a utility by the commission, the utility shall, within 2 working days, report results of any investigation made regarding the complaint to the commission and shall keep the commission currently informed as to progress made with respect to the solution of, and final disposition of the complaint. If warranted in a particular case, a utility may request an extension of time.

(6) Records - each utility shall keep a record of all complaints concerning the utility's service or rates. The record shall show at least the name and address of the complainant, the nature and date of the complaint, action taken, and the final disposition of the complaint. Such records shall be maintained in a suitable place readily available for commission review.

All written complaints made to a utility shall be acknowledged. Correspondence and records of complaints shall be retained by the utility for a minimum period of one year.

AMENDATORY SECTION (Amending Order R-27, filed 7/15/71)

WAC 480-90-166 Statement of meter test procedures. Each utility shall submit to the commission a ~~((typewritten))~~ statement ~~((properly identified and dated))~~ in its tariff describing its practice under these rules covering:

(1) Description of test methods employed and frequency of tests or observations for determining ~~((quality and pressure of gas service furnished.~~

~~(2) Description of meter testing equipment, including methods employed to ascertain and maintain accuracy of all testing equipment))~~ the accuracy of meters. The description of any such program shall include, but is not limited to:

(a) Test group detail and selection procedures.

(b) Performance standard details for meters that exceed the maximum allowable tolerance for slow as well as fast meters.

(c) The corrective action and time period that will be implemented.

(d) Reference to an industry standard such as ANSI C12.1 or ANSI/ASQC-Z1.9 that will establish acceptable criteria for numerical analysis.

(2) Description of meter testing equipment, including methods employed to ascertain and maintain accuracy of all testing equipment.

(3) The name of the testing laboratory making meter tests for those utilities which do not maintain meter testing equipment.

(4) Testing and adjustment program of meters prior to installation and periodic tests after installation.

Revisions in any portion of ~~((this statement,))~~ the utility's statement of meter test procedure after submission and acceptance of same, will necessitate the submission of ~~((an entire new statement, properly identified and dated cancelling the one on file. Any such change must receive the consent of the commission in writing before becoming effective))~~ a tariff revision.

AMENDATORY SECTION (Amending Order R-27, filed 7/15/71)**WAC 480-90-171 Frequency of periodic meter tests.**

The basic periodic test interval for gas meters, other than orifice meters, shall be as follows:

- (1) Up to 3,000 cubic feet per hour - 10 years
- (2) 3,000 cubic feet per hour and over - 5 years

Orifice meter differential gauges shall be tested at least once each three months; the orifice plate shall be checked at least once each year.

(3) A meter sampling program may be implemented by the utility in lieu of the basic periodic test interval, as provided for under WAC 480-90-166.

AMENDATORY SECTION (Amending Order R-64, filed 2/13/74)

WAC 480-90-181 Filing of records and reports and the preservation of records. (1) All records and reports required by these rules shall be retained on file in the office of the utility at which such records and reports were made, or in such other place as may be especially approved by the commission, for such time as is specifically provided in ~~((paragraph))~~ subsection (2) of this section, ((or)) and where no time is specified, for a period of three years.

(2) ~~((The "regulations to govern the preservation of records of electric, gas and water utilities"))~~ Billing stubs may be retained for a minimum of four months when the information on the billing stubs is maintained in other retrievable files.

(3) The Regulations to Govern the Preservation of Records of Electric, Gas and Water Utilities published by the National Association of Regulatory Utility Commissioners (NARUC) is hereby prescribed as the requirement for the preservation of records of gas companies in the state of Washington.

~~((3))~~ (4) No records shall be destroyed prior to the expiration of such time or period specified in ~~((paragraphs (1) and (2) of this section,))~~ subsections (1), (2), and (3) of this section except by prior written permission of the commission.

NEW SECTION

WAC 480-90-211 Business offices and payment agencies. Companies shall provide applicants and customers reasonable access to company representatives for conducting business. Companies shall also make available to applicants and customers a location to make cash and urgent payments. An urgent payment is a payment which the company requires upon threat of disconnection of service.

(1) Business offices - Each company shall provide business offices or customer service centers accessible by telephone or in person. Such business offices and customer service centers shall be staffed with personnel to provide information relating to services, and rates; accept and process applications for service; explain charges on customer bills; adjust charges made in error and generally act as representatives of the company. Customer service centers may provide toll-free telephone access to company personnel who can provide the aforementioned services in the event that such expertise is unavailable at the service center. If

one business office or service center serves several areas, toll-free calling from those areas to the office shall be provided.

(2) Payment agencies - Where business offices are not available, each gas company shall establish and maintain payment agencies for receipt of cash and urgent payments. At a minimum, payment agencies required by this rule shall clearly post and maintain regular business hours.

(3) Companies must provide written notification to the commission at least thirty days prior to the closing of any business office, customer service center, or payment agency. In the event a payment agency is closed on less than thirty days notice, written notification is required as soon as the gas company becomes aware of the closure. At a minimum, the following information is required:

- (a) The communities affected by the closing;
- (b) The date of the closing;
- (c) A listing of other methods and facility locations available for payment of cash or urgent payments;
- (d) A listing of other methods and locations for obtaining business office and customer service center services.

WSR 95-01-051**PERMANENT RULES****UTILITIES AND TRANSPORTATION COMMISSION**

[Order R-423, Docket No. UE-940084—Filed December 13, 1994, 3:15 p.m.]

In the matter of amending WAC 480-100-021, 480-100-051, 480-100-071, 480-100-072, 480-100-096, 480-100-141, 480-100-176 and 480-100-211, relating to the glossary, deposits, discontinuance of service, payment arrangements and responsibilities, complaints and disputes, accuracy of watt-hour meters, statement of test procedures, and filing of records, reports and the preservation of records; and adopting WAC 480-100-311 relating to business offices and payment agencies.

The Washington Utilities and Transportation Commission takes this action under Notice No. WSR 94-20-102, filed with the code reviser on October 4, 1994. The commission brings this proceeding pursuant to RCW 80.01.040.

This proceeding complies with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 34.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

The commission scheduled this matter for oral comment and adoption under Notice No. WSR 94-20-102, for 9:00 a.m., Wednesday, November 23, 1994, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA. The notice provided interested persons the opportunity to submit written comments to the commission until November 9, 1994.

The commission developed these proposed rules concurrently with parallel rules for the gas industry. It held a series of meetings with representatives of, and other persons interested in the rules of, both industries. The docket dealing with the gas rules is Docket No. UG-940085.

PERMANENT

The proposed gas rules were noticed under WSR 94-20-101, filed with the code reviser on October 4, 1994. That notice set out the same schedule as for this docket.

Written comments were submitted by David Hoff for Puget Sound Power & Light Company; David Girard of Evergreen Legal Services for Puget Sound Council of Senior Citizens; J. M. Brookhouse for PacifiCorp; and the commission staff. Ron Amen for Washington Natural Gas submitted comments on the proposed parallel gas rules which the commission also considered in this docket.

The rule change proposal was considered for adoption at the commission's regularly scheduled open public meeting on November 23, 1994, before Chairman Sharon L. Nelson, Commissioner Richard Hemstad and Commissioner William R. Gillis. Oral comments were made by David Girard of Evergreen Legal Services for Puget Sound Council of Senior Citizens; Lynn Logen and Jerry Lehenbauer for Puget Sound Power & Light Company; and Jeffrey Goltz, Senior Assistant Attorney General, and Roger Kouchi for commission staff. Ron Amen for Washington Natural Gas commented on the proposed parallel gas rules; the commission considered his comments in this docket also.

After considering the written and oral comments, the commission made the following changes, other than minor editing, from the proposed version.

The commission made the following changes, other than minor editing, from the proposed to adopted version.

WAC 480-100-021, in subsection (10), the commission deleted redundant wording for the purpose of clarity and brevity.

WAC 480-100-051, the commission reorganized subsection (3), deposit requirements, to make the rule clearer.

WAC 480-100-071, in subsection (1), the commission moved the sentence "For purposes of these rules, a nonsufficient fund check does not in itself constitute fraud" from the end of subsection (1) to subsection (1)(m), to make the rule clearer.

WAC 480-100-176, the commission revised the section to change the requirement that an electric company set out its meter test procedures in its tariff to a requirement that the company include a statement describing the meter test procedures in its tariff, and made minor changes to make the rule clearer. The changes make the electric rule congruent with the corresponding gas rule.

WAC 480-100-311, the commission revised the proposal to make it clear that the rule is not intended to require any particular staffing configuration in business offices and customer service centers, but only to require that companies provide applicants and customers reasonable access to company representatives for conducting business. The commission made minor wording changes to make the rule clearer.

In reviewing the entire record, the commission determines that WAC 480-100-311 should be adopted and WAC 480-100-021, 480-100-051, 480-100-071, 480-100-072, 480-100-096, 480-100-141, 480-100-176, and 480-100-211 should be amended to read as set forth in Appendix A, as rules of the Washington Utilities and Transportation Commission, to take effect pursuant to RCW 34.05.380.

ORDER

THE COMMISSION ORDERS That WAC 480-100-311 is adopted and WAC 480-100-021, 480-100-051, 480-100-071, 480-100-072, 480-100-096, 480-100-141, 480-100-176, and 480-100-211 are amended to read as set forth in Appendix A, as rules of the Washington Utilities and Transportation Commission, to take effect pursuant to RCW 34.05.380.

THE COMMISSION FURTHER ORDERS That this order and the rules shown below, after being recorded in the register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

THE COMMISSION Adopts the commission staff memoranda, presented at the times the commission considered noticing and adopting this proposal, together with the supplemental summary of comments and responses prepared after the November 23, 1994, open public meeting, as its concise explanatory statement of the reasons for adoption, under RCW 34.05.355.

DATED at Olympia, Washington, this 12th day of December 1994.

Washington Utilities and Transportation Commission
Sharon L. Nelson, Chairman
Richard Hemstad, Commissioner
William R. Gillis, Commissioner

AMENDATORY SECTION (Amending Order R-279, Cause No. U-87-590-R, filed 11/12/87)

WAC 480-100-021 Glossary. (1) Commission - the Washington utilities and transportation commission.

(2) Utility - any corporation, company, association, joint stock association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, owning, controlling, operating or managing any electric plant within the state of Washington for the purpose of furnishing electric service to the public for hire and subject to the jurisdiction of the commission.

(3) Customer - any person, partnership, firm, corporation, municipality, cooperative organization, governmental agency, etc., who or which is receiving service from a utility or has completed an application to any utility for service.

(4) Energy assistance grantee - a grantee of the department of community development which administers federally funded energy assistance programs.

(5) Household income - the total income of all household members as determined by a grantee of the department of community development.

(6) Meter tests

(a) Periodic test - a routine test made in the regular course of a utility's operation.

(b) Complaint test - a test made as a result of a request by a customer.

(c) Installation test - a test made prior to the installation of a meter. New meters when received by a utility may be tested by an acceptable sampling plan prior to initial installation.

(d) Special test - any test other than a periodic, complaint, or installation test.

(e) Sample test - a test made as a result of the inclusion of a meter in a random statistical sample.

(7) Payment arrangement - payment schedule by written or oral agreement between the customer and the utility.

(8) Payment plan - payment schedule by written agreement between the customer and the utility under WAC 480-100-072(3).

(9) Winter period - November 15 through March 15.

(10) Similar class of service - Business or residential. For establishment and administration of credit there are two classes of service. These two classes of service are business and residential. Business class of service includes all service classes other than residential.

In the application of these rules, those terms used in the public service laws of the state of Washington will have the meaning therein ascribed to them.

Terms not defined in these rules or in the applicable statutes are to be given that meaning usually accepted in the electrical industry.

AMENDATORY SECTION (Amending Order R-279, Cause No. U-87-590-R, filed 11/12/87)

WAC 480-100-051 ((Deposits-)) Establishment of credit. (1) Establishment of credit - residential. An applicant for residential service may establish credit by demonstrating to the utility any one of the following factors((+)). However, a deposit still may be requested under the criteria outlined in subsection (3) of this section.

(a) Prior service with the utility in question during the next previous 12 months for at least six consecutive months during which service was rendered and was not disconnected for failure to pay, and no more than one delinquency notice was served upon the customer.

(b) Prior service with a utility of the same type as that of which service is sought with a satisfactory payment record as demonstrated in (a) above, provided that the reference may be quickly and easily checked, and the necessary information is provided.

(c) ((Full-time)) Consecutive employment during the entire 12 months next previous to the application for service, with no more than two employers, and the applicant is currently employed or has a ((regular)) stable source of income.

(d) ((Ownership of a significant legal interest in)) Applicant owns or is purchasing the premises to be served.

(e) Furnishing of a satisfactory guarantor to secure payment of bills for service requested in a specified amount not to exceed the amount of cash deposit which may be required.

(f) Demonstration that applicant is a satisfactory risk by appropriate means including, but not limited to, the production in person at a listed business office of two major credit cards, or other credit references, which may be quickly and easily checked by the utility.

(2) Establishment of credit - nonresidential. An applicant for nonresidential service may be required to demonstrate that it is a satisfactory credit risk by reasonable means appropriate under the circumstances.

(3) Deposit requirements. A deposit may be required under any one of the following circumstances((+)); provided, that during the winter period no deposit may be required of a customer who, in accordance with WAC 480-100-072(4)(a), has notified the utility of inability to pay a security

deposit and has satisfied the remaining requirements to qualify for a payment plan.

(a) Where the applicant has failed to establish a satisfactory credit history as outlined above.

(b) ((In any event, a deposit may be required)) When, within the last 12 months ((prior to the application, the)) an applicant's ((service of a)) or customer's similar ((type)) class of service has been disconnected for failure to pay amounts owing((, when due; where)) to any electric or gas utility;

(c) There is an unpaid, overdue balance owing to any electric or gas utility for similar class of service ((from the utility to which application is being made or from any other electric or gas company)); ((or where two))

(d) Three or more delinquency notices have been served upon the applicant or customer by any ((other)) electric or gas company during the most recent 12 months ((previous to the application for service; provided, that during the winter period no deposit may be required of a customer who, in accordance with WAC 480-100-072(4)(a), has notified the utility of inability to pay a security deposit and has satisfied the remaining requirements to qualify for a payment plan-));

((+)) (e) Initiation or continuation of service to a residence where a prior customer still resides and where any balance for such service to that prior customer is past due or owing to the company seeking the deposit.

(4) Amount of deposit. In instances where a deposit may be required by the utility, the deposit shall not exceed two-twelfths of estimated annual billings for utilities billing monthly and three-twelfths of estimated annual billings for utilities billing bimonthly.

(5) Transfer of deposit. Where a customer of whom a deposit is required transfers ((his)) service to a new location within the same utility's service area, the deposit, plus accrued interest less any outstanding balance from the current account, shall be transferable and applicable to the new service location.

(6) Interest on deposits. Interest on deposits held shall be accrued at a rate based upon a simple average of the effective interest rate for new issues of one year treasury bills, computed from December 1 of each year, continuing through November 30 of the following year. Deposits ((would)) shall earn that interest rate during January 1 through December 31 of the subsequent year. Interest shall be computed from the ((time)) date of the deposit payment or payments are made to the ((time)) date of refund or total application of the deposit to the current account and shall be compounded or paid annually.

(7) Extended payment of deposits. Where a customer or applicant for service of whom a deposit is required is unable to pay the entire amount of the deposit in advance of connection or continuation of service, the customer or applicant shall be allowed to pay 50 percent of the deposit amount prior to service, with the remaining amount payable in equal monthly amounts ((on the utility's ordinary billing cycle during the first)) over the following two months ((of service)) with dates corresponding to the initial payment date, unless the company and the customer have agreed upon other mutually acceptable arrangements. A customer or applicant who is unable to meet this deposit requirement shall have the opportunity to receive service under subsection (8) of this section, alternative to deposit, next below.

(8) Alternative to deposit. A customer or applicant for service of whom a deposit is required, but who is unable to make a deposit, shall be allowed, as an alternative to the making of a deposit, to prepay any installation charges and reasonably estimated regular service charges or budget billings at periods corresponding to the utility's regular billing period for the length of time during which a deposit would ordinarily have been required. The customer shall then be billed in a normal fashion.

(9) When payment is made by cash, a receipt shall be furnished to each applicant or customer for the amount deposited.

(10) Refund of deposits. Deposits plus accrued interest shall be refunded under the following circumstances and in the following form:

(a) Satisfactory payment. Where the customer has for 12 consecutive months following initial payment of the deposit paid for service when due in a prompt and satisfactory manner as evidenced by the following:

(i) The utility has not initiated disconnection proceedings against the customer.

(ii) No more than two notices of delinquency have been made to the customer by the utility.

(b) Termination of service. Upon termination of service, the utility shall return to the customer the amount then on deposit plus accrued interest, less any amounts due the utility by the customer for service rendered.

(c) Refunds - how made. Any deposit, plus accrued interest, ~~((shall))~~ may be ((refunded to the customer either)) applied to the customer's account for which the deposit was collected to secure. Upon the customer's request, a refund in the form of a check shall be issued and mailed to the customer ((no longer than)) within 15 days following completion of 12 months((²)) of satisfactory payment as described ((above, or applied to the customer's bill for service in the 13th and, if appropriate, subsequent months, in accordance with the preference as to form of refund indicated by the customer at the time of deposit, or as thereafter modified)) in (a) of this subsection. Prior to issuance of the refund, the customer may request that such check be made available at a local business office rather than sent by mail.

(11) Nothing in this rule shall prevent the requirement of a larger deposit or a new deposit when conditions warrant. Should a larger or new deposit be required, the reasons therefor shall be specified in writing to the customer. Any requirement for a new or larger deposit shall be in conformity with the standards set forth in this rule.

(12) Any new or additional deposit required, after service is established, is due and payable no sooner than 5:00 p.m. of the sixth business day after notice of the deposit requirement is mailed or delivered in person to the customer.

AMENDATORY SECTION (Amending Order R-284, Cause No. U-87-1525-R, filed 3/18/88)

WAC 480-100-071 Discontinuance of service. By customer - a customer shall be required to give notice to the utility of his or her intention to discontinue service.

By utility -

(1) Service may be discontinued by the utility for any of the following reasons:

(a) For the nonpayment of bills. The utility shall require that bills for service be paid within a specified time after issuance. The minimum specified time shall be fifteen days. Upon the expiration of said specified time without payment, payment arrangement, or a payment plan, the bill may be considered delinquent.

(b) For the use of electrical energy for purposes or properties other than that specified in the application.

(c) Under flat rate service, for increased use of electrical energy without approval of the utility.

(d) For willful waste of electrical energy through improper or imperfect wiring, equipment, or otherwise.

(e) When customer's wiring or equipment does not meet the utility's standards, or fails to comply with other applicable codes and regulations.

(f) For tampering with the utility's property.

(g) In case of vacation of the premises by customer.

(h) For nonpayment of any proper charges, including deposit, as provided in the tariff of the utility unless the customer has notified the utility of inability to pay a deposit in accordance with WAC 480-100-072 (4)(a) and has satisfied the remaining requirements to qualify for a payment plan.

(i) For payment of a delinquent balance with a check that is dishonored by a bank or other financial institution. If the customer pays with a dishonored check after the company has issued appropriate notice, pursuant to subsection (2) of this section, no further notice is required.

(j) For refusal to comply with provisions of WAC 480-100-091, access to premises.

~~((j))~~ (k) For violation of rules, service agreements, or filed tariff(s).

~~((k))~~ (l) For use of equipment which adversely affects the utility's service to its other customers.

~~((l))~~ (m) For fraudulent obtaining or use of service. Whenever a fraudulent obtaining or use of the service is detected the utility may discontinue service without notice: *Provided, however,* That if the customer shall make immediate payment for such estimated amount of service as had been fraudulently taken and all costs resulting from such fraudulent use, the utility shall continue such service, subject to any applicable deposit requirements. If a second offense as to fraudulent obtaining or use is detected the utility may refuse to reestablish service subject to appeal to the commission. The burden of proof of such fraudulent obtaining or use will be upon the utility in case of an appeal to the commission. This rule shall not be interpreted as relieving the customer or other person of civil or criminal responsibility. For purposes of these rules, a nonsufficient fund check does not in and of itself constitute fraud.

~~((m))~~ (n) For failure to keep any agreed upon payment plan.

(2) Except in case of danger to life or property, fraudulent use, impairment of service, or violation of law, no utility shall discontinue service unless the following conditions are met:

(a)(i) Each utility shall provide written notice of disconnection served on the customer either by mail or, at its option, by personal delivery of the notice to the customer's address. If such written notice of disconnection is for nonpayment during the winter period the utility shall advise the customer of the payment plan which is available pursuant

to WAC 480-100-072(3), payment arrangements and responsibilities. If a mailed notice is elected, service shall not be disconnected prior to the eighth business day following mailing of the notice. If personal delivery is elected, disconnection shall not be permitted prior to 5 p.m. of the first business day following delivery. Delivered notice shall be deemed effective if handed to a person of apparent competence in the residence or, if a business account, a person employed at the place of business of the service customer. If no person is available to receive notice, notice shall be deemed served if attached to the primary door of the residence unit or business office at which service is provided. If such delivered notice is for nonpayment of a deposit, disconnection shall not be permitted prior to 5:00 p.m. of the sixth business day after written notice of the deposit requirement is mailed or delivered in person to the customer.

(ii) If service is not discontinued within ten working days of the first day on which disconnection may be effected, unless other mutually acceptable arrangements have been made, that disconnect notice shall become void and a new notice shall be required before the service can be discontinued.

(iii) All notices of delinquency or pending disconnection shall detail procedures pertinent to the situation such as providing notice of means by which the subscriber can make contact with the utility to resolve any differences or avail themselves of rights and remedies as set forth in WAC 480-100-096 (complaints and disputes). All notices must accurately state amounts owing for service(s) which are subject to disconnection. A new notice will be required in cases where information is incorrect.

(b)(i) Before effecting disconnection of service, a utility shall make a good faith, bona fide effort to reach the customer in person ~~((or))~~, by telephone or by additional mailed notice to advise the customer of the pending disconnection and the reasons therefor.

(A) Where telephone contact is elected, at least two attempts to reach a customer by telephone shall be made during the utility's regular business hours. If a business or message telephone number is provided by the customer, the utility shall endeavor by that means to reach the customer if unable to make contact through the customer's home telephone. A log or record of the attempts shall be maintained a minimum of 90 days by the utility showing the telephone number called ~~((and))~~, the time of call, and details of the results of each attempt. When the company has been unable to reach the customer by telephone, a written notice shall be mailed a minimum of three business days prior to the intended date of disconnection.

(B) Where additional written notice is elected, disconnection shall not be permitted prior to 5:00 p.m. of the third business day following mailing of such notice. The day of mailing will not be considered the first day of the three-day notice period. ~~((Telephone or personal contact))~~

(C) Additional mailed notice, telephone attempts, or delivered notice shall not be a substitute for written notice of disconnection ~~((as))~~ specified ~~((above))~~ in (a) of this subsection.

(ii) When the service address is different from the billing address, the utility shall in all instances prior to effecting discontinuance of service upon its own initiative provide notice to the service address unless the utility has

verified that the customer of record and the service user are the same party. If personal service is effected upon the billing address, then personal service must be effected upon the service address; if service by mail is effected to the billing address, then either personal service or service by mail must be effected to the service address. Discontinuance of service shall not occur earlier than five business days after provision of notice to the service address.

(iii) When a customer of record orders termination of service at a service address, and the utility through its representative discovers that the actual service user at the service address has no prior notice of such termination, the utility shall delay termination for at least one complete business day following provision of actual notice to the service user.

~~'((iv) All notices of delinquency or pending disconnection shall detail procedures pertinent to the situation and provide notice of means by which the customer can make contact with the utility to resolve any differences or avail himself or herself of rights and remedies as set forth in WAC 480-100-096 (complaints and disputes) herein-))~~

(c) Except in case of danger to life or property, no disconnection shall be accomplished on Saturdays, Sundays, legal holidays, or on any other day on which the utility cannot reestablish service on the same or following day.

(d) When a utility employee is dispatched to disconnect service, that person shall be required to accept payment of a delinquent account at the service address if tendered in cash, but shall not be required to dispense change for cash tendered in excess of the amount due and owing. Any excess payment shall be credited to the customer's account. The utility shall be permitted to assess a reasonable fee as provided for in the tariff of the utility for the disconnection visit to the service address. Notice of the amount of such fee, if any, shall be provided within the notice of disconnection.

(e) Where service is provided through a master meter, or where the utility has reasonable grounds to believe service is to other than the customer of record, the utility shall undertake all reasonable efforts to inform occupants of the service address of the impending disconnection. Upon request of one or more service users, where service is to other than the subscriber of record, a minimum period of five days shall be allowed to permit the service users to arrange for continued service.

(f) Where service is provided to a hospital, medical clinic with resident patients, or nursing home, notice of pending disconnection shall be provided to the director, Washington state department of social and health services, as well as to the customer. Upon request from the director or his or her designee, a delay in disconnection of no less than five business days from the date of notice shall be allowed so that the department may take whatever steps are necessary in its view to protect the interests of patients resident therein who are responsibilities of the department.

(g) Service may not be disconnected while a customer is pursuing any remedy or appeal provided for by these rules, provided any amounts not in dispute are paid when due. The customer shall be so informed by the utility upon referral of a complaint to a utility supervisor or the commission.

(h)(i) When a utility has ~~(, or has had,)~~ cause to disconnect or has disconnected utility service, the utility shall postpone termination of service or will reinstate service to a residential customer ~~((for thirty days from the date of receipt of a certificate by a licensed physician which states that termination of electric service will aggravate an existing medical condition or create a medical emergency for the customer, a member of the customer's family, or other permanent resident of the premises where service is rendered))~~ after receiving notification of the existence of a medical emergency, for a grace period of five business days. When service is reinstated, payment of a reconnection charge and/or a deposit shall not be required prior to such reinstatement of service.

(ii) ~~((This certificate of medical emergency must be in writing and show clearly the name of the person whose medical emergency would be adversely affected by termination, the nature of the medical emergency, and))~~ Following the initial notification by the customer of the existence of a medical emergency, the company may require the customer to submit written certification of the medical emergency from a qualified medical professional within five business days. Qualified medical professional means a licensed physician, nurse practitioner, or physician's assistant authorized to diagnose and treat the medical condition described without direct supervision by a physician. Nothing in this section precludes a company from accepting other forms of certification but the maximum the company can require is written certification. If the company requires written certification it may, at its option, require that the certification include some or all of the following information:

(A) A statement that termination of service will aggravate an existing medical condition or create a medical emergency for the customer, a member of the customer's family, or other permanent resident of the premises where service is rendered;

(B) The name of the resident whose health will be affected by the disconnection of service, and the relationship to the customer;

(C) A description of the health condition(s);

(D) An explanation of how the physical health of the person will be endangered by the disconnection of service;

(E) A statement of how long the condition is expected to last;

(F) A list of the equipment for which electrical service is needed, if applicable; and

(G) The name, title, and signature of the person certifying the medical emergency. ~~((If a notice of disconnection has been issued and the customer notifies the utility that a medical emergency exists, the customer shall be allowed five business days from when the utility is so notified to provide the utility with a certificate of medical emergency.))~~

(iii) If ~~((this))~~ the five day grace period extends beyond the time set for discontinuance of service, the utility shall extend the time of discontinuance until the end of the five day period. If service has been discontinued and the customer requests reconnection of service due to a medical emergency, the utility shall reconnect service and the customer shall be allowed five business days to provide the utility with a certificate of medical emergency. If the utility does not receive a certificate of medical emergency within the time limits set herein, the utility may discontinue service

following an additional ~~((twenty-four hour notice to the premises))~~ notification prior to disconnect as delineated in (b)(i) of this subsection.

(iv) The written medical certification shall be valid only for the length of time the health endangerment is certified to exist but no longer than 30 days without renewal.

(v) A medical emergency does not excuse a customer from paying delinquent and ongoing charges. During the five business day period, in conjunction with the provision of a medical certificate, the company may require the subscriber to pay 10 percent of the delinquent balance and enter into an agreement to pay the entire remaining delinquent balance within 120 days and pay subsequent bills when due. Nothing in this section precludes the company from entering into an alternate payment plan, but the company may not require the subscriber to pay more than that which is prescribed in this subsection. The company shall send a notice confirming the payment arrangements within two business days.

(vi) If the subscriber fails to abide by the terms of the payment agreement, service may be disconnected following notification of the customer in person, or by additional mailed notice as provided for in (b)(i) of this subsection. If telephone contact is elected, the company must make contact with the customer.

~~((iii))~~ (vii) Any customer may designate a third party to receive notice of termination or other matters affecting the provision of service. The utility shall offer all customers the opportunity to make such designation. When the utility discovers that a customer appears to be unable to comprehend the impact of a termination of service, the utility shall consider an appropriate social agency to be the third party. In either case, the utility shall not effect termination until five business days after provision of notice to the third party. Utilities shall discover which social agencies are appropriate and willing to receive such notice, and the name and/or title of the person able to deal with the termination situation, and shall inform the commission on a current basis which agencies and position titles receive such notifications.

(3) Payment of any delinquent amounts to a designated payment agency of the utility shall constitute payment to the utility, if the customer informs the utility of such payment and the utility verifies such payment.

(4) Service shall be restored when the causes of discontinuance have been removed and when payment of all proper charges due from the customer, including any proper deposit, has been made as provided for in the tariff of the utility; or as the commission may order pending resolution of any bona fide dispute between the utility and customer over the propriety of disconnection.

(5) A utility may make a charge for restoring service when service has been discontinued for nonpayment of bills. The amount of such charge is to be specified in the utility's tariff.

AMENDATORY SECTION (Amending Order R-279, Cause No. U-87-590-R, filed 11/12/87)

WAC 480-100-072 Payment arrangements and responsibilities. (1) The utility shall offer residential customers the option of a budget billing or equal payment plan which plan shall be set out in the utility's tariff. The

budget billing or equal payment shall be offered (~~(to low-income customers eligible under the state's plan for low-income energy assistance)~~) without regard to time of year, home ownership, or duration of occupancy, unless the customer was removed from the budget program for nonpayment within the past six months or has more than a two-month balance on their current account. The utility may offer budget billing to any customer when it believes this would be in the best interest of all parties concerned. (~~The plan for low-income customers, if different from the plan offered to residential customers, shall also be set out in the utility's tariff.~~)

(2) Residential customers shall be notified that the utility, upon contact by a customer whose account is delinquent or who desires to avoid a delinquency, will make extended payment arrangements appropriate for both the customer and the utility. If the customer fails to propose payment terms acceptable to the utility, the utility shall advise a customer of the payment plan set forth in subsection (3) of this section, if appropriate.

(3) During the winter period the utility shall offer the following payment plan if the residential space heating customer qualifies under subsection (4) of this section and if the customer agrees:

(a) To a payment plan designed both to pay the past due bill by the following October 15 and to pay for continued utility service;

(b) To pay a monthly payment during the winter period not to exceed seven percent of the monthly household income during the winter period plus one-twelfth of any billings accrued from the date application is made and thereafter through March 15. A customer may agree to pay a higher percentage of their income during this period, but the customer shall not be in default unless payment during this period is less than the amount calculated in accordance with the formula above;

(c) To certify to the utility that any home heating assistance payment received by the customer from applicable government and/or private sector organizations subsequent to implementation of the plan shall be the basis for the customer to contact the utility to reformulate the plan;

(d) Customers who qualify for the payment plan under this section who default on their payment plan and are disconnected in accordance with the procedures set forth in WAC 480-100-071, discontinuance of service, shall be reconnected and maintain the protections afforded under this chapter by paying reconnection charges, if any, and by paying all amounts that would have been due and owing under the terms of the payment plan, absent default, on the date on which service is reconnected;

(e) To pay the moneys owed even if he or she moves.

A customer's failure to make a payment provided for in this section shall entitle the utility to discontinue service in accordance with the procedures set forth in WAC 480-100-071, discontinuance of service.

The utility shall furnish to the customer entering into an extended payment plan a written copy of the plan.

(4) The customer shall meet the following requirements in order to qualify for payment arrangements as provided in subsection (3) of this section:

(a) Within five business days of receiving a notice of disconnection, notify the utility in person, in writing, or

through telephone contact of inability to pay the bill currently or a deposit, unless there are extenuating circumstances;

(b) Provides self-certification of household income for the prior twelve months to an energy assistance grantee. The grantee shall determine that the household income does not exceed the maximum allowed for eligibility under the state's plan for low-income energy assistance and shall provide a dollar figure that is seven percent of the household income within thirty days of the date on which the utility was notified of the inability to pay as in (a) of this subsection. Certification may be subject to verification by a grantee of the department of community development;

(c) Apply for home energy assistance from appropriate government and/or private sector organizations and certify that any assistance received will be applied to their current and future utility bills;

(d) Apply to the utility or other appropriate agency for low income weatherization assistance if such assistance is available for the dwelling;

(e) Agrees to a payment plan designed to pay the past due bill by the following October 15, as well as paying for continued utility service.

AMENDATORY SECTION (Amending Order R-84, filed 6/30/76)

WAC 480-100-096 Complaints and disputes. Any complaint or dispute involving a utility and a customer shall be treated in the following manner:

(1) Each complaint or dispute received by a utility shall be investigated promptly as required by the particular case, and the result reported to the applicant or customer. When circumstances indicate the need for corrective action, such action shall be taken as soon as possible.

(2) Each utility shall ensure that personnel engaged in initial contact with a dissatisfied or complaining applicant or customer shall inform the customer that if dissatisfied with the decision or the explanation that is provided, the customer has the right to have that problem considered and acted upon by supervisory personnel. The customer shall be provided with the name or department of such supervisory personnel and a telephone number by which they may be reached.

(3) Each utility shall ensure that supervisory personnel contacted by a dissatisfied applicant or customer shall inform a still-dissatisfied applicant or customer of the availability of the commission for further review of any complaint or dispute. The toll-free telephone number and address of the commission shall also be provided.

(4) All parties to a dispute between an applicant or customer and the utility shall have the right to bring before the commission an informal complaint pursuant to the provisions of WAC (~~480-08-040~~) 480-09-150 and/or a formal complaint pursuant to the provisions of WAC (~~480-08-050~~) 480-09-420.

(5) When a complaint is referred to a utility by the commission, the utility shall, within 2 working days, report results of any investigation made regarding the complaint to the commission and shall keep the commission currently informed as to progress made with respect to the solution of, and final disposition of the complaint. If warranted in a particular case, a utility may request an extension of time.

(6) Records - each utility shall keep a record of all complaints concerning the utility's service or rates. The record shall show at least the name and address of the complainant, the nature and date of the complaint, action taken, and the final disposition of the complaint. Such records shall be maintained in a suitable place readily available for commission review.

All written complaints made to a utility shall be acknowledged. Correspondence and records of complaints shall be retained by the utility for a minimum period of one year.

AMENDATORY SECTION (Amending Order R-165, Cause No. 4-81-30, filed 7/22/81)

WAC 480-100-141 Accuracy of watthour meters. Watthour meters used for measuring electrical quantities supplied shall:

(1) Be of proper design for the circuit on which they are used, be in good mechanical condition, have adequate insulation, correct internal connections, and correct register.

(2) Not creep at "no load" more than one full revolution of the disk in five minutes when the load wires are disconnected and potential is impressed or in a shop test where the load wires are disconnected and the permissible voltage variation impressed.

(3) If they are designed for use on alternating current circuits, be accurate to within plus or minus 2.0 percent, referred to the ~~((rotating))~~ watthour standard as a base, at two unity power factor loads, one between 5 and 10 percent of the nameplate test current value and the other between 75 and 150 percent of the nameplate test current value; and shall register correctly to within 3.0 percent plus or minus at a power factor of approximately 50 percent lagging and at a load approximately equal to 100 percent of the rated current of the meter.

(4) If polyphase, have the elements in balance within 2 percent at approximately 100 percent load at unity and at approximately 50 percent lagging power factor.

(5) If used with instrument transformers, be adjusted so that the over-all accuracy of the metering installation will meet the requirements of this rule except that adjustment for instrument transformer errors is not required when instrument transformers with the following accuracy characteristics are used:

(a) Instrument current transformers.

The combined effect of ratio error and phase angle on the accuracy of the meter at any load power factor from 60 percent lagging to unity shall not exceed 0.6 percent at 10 percent rated current, or 0.3 percent at 100 percent current.

(b) Instrument potential transformers.

The combined effect of ratio error and phase angle on the accuracy of the meter from 90 percent rated voltage to 110 percent rated voltage at any load power factor from 60 percent lagging to unity, shall not exceed 0.3 percent.

(6) Be adjusted as closely as practicable to zero error.

AMENDATORY SECTION (Amending Order R-165, Cause No. 4-81-30, filed 7/22/81)

WAC 480-100-176 Statement of meter test procedures. Each utility shall submit to the commission for review and approval, a ~~((typed written))~~ statement properly

identified and dated, in its tariff describing its practice under these rules covering:

(1) Description of test methods employed and frequency of tests ~~((of meters in service))~~ or observations for determining the accuracy of meters. The description of any such program shall include, but is not limited to:

(a) Test group detail and selection procedures.

(b) Performance standard details for meters that exceed the maximum allowable tolerance for slow as well as fast meters.

(c) The corrective action and time period that will be implemented.

(d) Reference to an industry standard such as ANSI C12.1 or ANSI/ASQC-Z1.9 that will establish acceptable criteria for numerical analysis.

(2) Description of meter testing equipment, including methods employed to ascertain and maintain accuracy of all testing equipment.

(3) The name of the testing laboratory making meter tests for those utilities which do not maintain meter testing equipment.

~~((3))~~ (4) Testing and adjustment program of meters prior to installation.

Revisions in any portion of ~~((this statement,))~~ the utility's statement of meter test procedures after submission and acceptance of same, will necessitate the submission of ~~((an entire new statement, properly identified and dated cancelling the one on file. Any such change must receive the consent of the commission in writing before becoming effective))~~ a tariff revision.

AMENDATORY SECTION (Amending Order R-29, filed 7/15/71)

WAC 480-100-211 Filing of records and reports and the preservation of records. (1) All records and reports required by these rules shall be retained on file in the office of the utility at which such records and reports were made, or in such other place as may be especially approved by the commission, for such time as is specifically provided in ~~((paragraph 2))~~ subsection (2) of this section and where no time is specified, for a period of three years.

(2) Billing stubs may be retained for a minimum of four months when the information on the billing stubs is maintained in other retrievable files.

(3) The Regulations to Govern the Preservation of Records of Electric, Gas and Water Utilities published by the National Association of Regulatory Utility Commissioners (NARUC) is hereby prescribed as the preservation of records requirements of electric utilities in the state of Washington.

~~((3))~~ (4) No records shall be destroyed prior to the expiration of such time or period specified in ~~((paragraphs 1 and 2,))~~ subsections (1), (2), and (3) of this section except by prior written permission of this commission.

NEW SECTION

WAC 480-100-311 Business offices and payment agencies. Companies shall provide applicants and customers reasonable access to company representatives for conducting business. Companies shall also make available to applicants, and customers a location to make cash and urgent payments.

An urgent payment is a payment which the company requires upon threat of disconnection of service.

(1) Business offices - Each company shall provide business offices or customer service centers accessible by telephone or in person. Such business offices and customer service centers shall be staffed with personnel to provide information relating to services, and rates; accept and process applications for service; explain charges on customer bills; adjust charges made in error; and generally act as representatives of the company. Customer service centers may provide toll-free telephone access to company personnel who can provide the aforementioned services in the event that such expertise is unavailable at the service center. If one business office or service center serves several areas, toll-free calling from those areas to the office shall be provided.

(2) Payment agencies - Where business offices are not available, each electric company shall establish and maintain payment agencies for receipt of cash and urgent payments. At a minimum, payment agencies required by this rule shall clearly post and maintain regular business hours.

(3) Companies must provide written notification to the commission at least thirty days prior to the closing of any business office, customer service center, or payment agency. In the event a payment agency is closed on less than thirty days notice, written notification is required as soon as the electric company becomes aware of the closure. At a minimum, the following information is required:

- (a) The communities affected by the closing;
- (b) The date of the closing;
- (c) A listing of other methods and facility locations available for payment of cash or urgent payments;
- (d) A listing of other methods and locations for obtaining business office and customer service center services.

WSR 95-01-066
PERMANENT RULES
DEPARTMENT OF
SERVICES FOR THE BLIND
 [Filed December 15, 1994, 9:32 a.m.]

Date of Adoption: December 14, 1994.

Purpose: Indicates conditions by which licensees may bid for location; delete repetitive language and relocate applicable terms to WAC 67-35-072; resolve conflict with WAC 67-35-070; and to change condition of termination of agreement.

Citation of Existing Rules Affected by this Order: Amending WAC 67-35-070, 67-35-072, and 67-35-910.

Statutory Authority for Adoption: 74-18 [chapter 74.18 RCW].

Pursuant to notice filed as WSR 94-20-032 on September 27, 1994.

Effective Date of Rule: Thirty-one days after filing.
December 15, 1994
Bonnie Jindra
Assistant Director
Administration

AMENDATORY SECTION (Amending WSR 89-21-046, filed 10/13/89, effective 11/13/89)

WAC 67-35-910 Vendor agreement.

This VENDOR AGREEMENT entered in this day of , 19. . . by and between the Department of Services for the Blind, hereinafter referred to as the department, and , hereinafter referred to as the vendor.

Name and Address of Facility
City: , Washington

IT IS HEREBY AGREED:

1. The provisions of the permit and/or contract between the department and the property management as now exists and chapter 67-35 WAC (the business enterprise program rules), which described the rights and responsibilities of the department and the rights and responsibilities of the vendor, as presently exist are both by reference incorporated into and made part of this agreement.
2. The vendor is entitled to all profits of the vending facility, and vending machine revenue from site, except as provided for in WAC 67-35-140.
3. The vendor is responsible to submit reports to the department as required.
4. The vendor must maintain the business hours agreed upon or as stated in the permit and/or contract.
5. The vendor shall receive a copy of the permit and/or contract and all applicable department rules.
6. The vendor shall obtain and maintain continuously public liability insurance with limits of liability not less than:
 \$1,000,000.00 each person personal injury,
 \$1,000,000.00 each occurrence personal injury, and
 \$1,000,000.00 each occurrence property damage or insurance coverage specified in the permit and/or contract, whichever is greater.
7. Vendors are accountable to the department for equipment assigned to their location. The vendor is responsible for maintaining the equipment in a clean and sanitary condition.
8. The vendor shall not discriminate in the employment of persons on the grounds of race, color, sex, national origin, creed or religion, physical or mental impairment, age, marital status or political affiliation.
9. The vendor or the vendor's employees shall not subject customers to discrimination or deny them participation in, or the benefits of the vending facility on the grounds of race, color, sex, national origin, creed or religion, physical or mental impairment, age, marital status or political affiliation.
10. The department staff shall provide management services as defined in WAC 67-35-030 on a systematic basis. Consultation shall occur at least on a semiannual basis.

PERMANENT

- 11. The department may upon ~~((thirty))~~ forty-five days notice terminate the license and/or terminate the agreement with the vendor for failure to operate the facility in accordance with the permit and/or contract or the vending facility rules and shall provide an opportunity for a full evidentiary hearing as provided for in WAC 67-35-420, except in those instances where aggravated emergency conditions require immediate termination of license and/or termination of agreement and removal of the vendor due to gross neglect or misconduct, as provided for in WAC 67-35-430.
- 12. The vendor may terminate this agreement upon giving ~~((thirty))~~ forty-five days written notice to the department.
- 13. This agreement is automatically terminated when the permit or contract with the contracting agency is terminated.
- 14. The vendor will sign a facility equipment and stock agreement.

I HEREBY CERTIFY THAT I FULLY UNDERSTAND THE ARTICLES AND TERMS SET FORTH IN THE ABOVE AGREEMENT AND HAVE RECEIVED COPIES OF THE FACILITIES OPERATING PERMIT AND/OR CONTRACT AND THE BUSINESS ENTERPRISE PROGRAM RULES.

Signed: Date:, 19...
(Vendor)

Name of vendor:
(please type)

Signed: Date:, 19...
(Department of Services for the Blind)

Name of staff:
Title:

NEW SECTION

WAC 67-35-051 Licensees—Geographic availability—Certification. Licensees are required to indicate geographic availability at time of certification. Any licensee who fails to bid on an available vending facility within the geographic area of availability will be removed from the bidding process and will be required to request reinstatement to the bidding process. Their reinstatement will be determined by the business enterprise director in conjunction with the vendors' committee.

AMENDATORY SECTION (Amending WSR 92-10-024, filed 4/29/92, effective 5/30/92)

WAC 67-35-070 Selecting a vendor or licensee to operate a primary location vending facility. When a primary location vending facility becomes available, the business enterprise staff will send a written "notice of availability" to all vendors and all licensees as indicated by WAC 67-35-060.

A licensee or vendor bidding on the available primary location must submit their interest in writing to the department by 5:00 p.m. on the closing date of the bid. Bids received after the closing time and date will not be considered and the bids will be returned to the bidder.

ELIGIBILITY REQUIREMENTS TO BID ON A PRIMARY LOCATION

~~((To be eligible to bid on a primary location the following must apply:))~~

~~((1))~~ (1) If only one otherwise eligible (see subsections (2) through (8) of this section) vendor or licensee bids on an available vending location, that individual will receive that available location.

(2) A vendor must have been assigned to and have actively operated their present location for a minimum of twelve months. If there are no eligible bidders on a primary location, bids will be accepted from vendors who are eligible and have less than twelve months at their present location.

~~((2))~~ (3) Vendors must have provided the department with current monthly financial statements and have shown a cumulative total net profit on their last twelve months financial statements. Vendors who have not operated a vending facility for twelve consecutive months must use their certification test score for bidding purposes.

~~((3))~~ (4) Former vendors, who operated a vending facility within the last twelve months, and have provided the department with their most current monthly financial statements, must show a cumulative total net profit on their last twelve months financial statement. If they have not been a business enterprise vendor within the last twenty-four months, they will be required to take the certification test and they will use this score for bidding purposes.

~~((4))~~ (5) Licensees must have completed the agency sponsored training program and have taken the certification test and received a passing score of seventy percent or better.

~~((5))~~ (6) Vendors, former vendors, and licensees must include a completed job application with their bid indication. Additional information is encouraged but is not a replacement for the application.

~~((6))~~ (7) Be current in the payment of all federal and state taxes, Social Security taxes, unemployment taxes, and worker's compensation.

~~((7))~~ (8) Not owe the department of services for the blind for any back rents, missing equipment, or back inventories.

INTERVIEW PANEL COMPOSITION

The ~~((interview))~~ panel will include one representative of the business enterprise program, one representative of the vendors committee, and one representative of the building management of the available location.

APPLICATION SCREENING PROCESS

The interview panel will receive and review all of the applications of the vendors who responded to the notice of availability plus applications of the licensees with the top two scores on the certification test.

Applicants will be selected based on their education and prior work experience in: Operating a similar food service facility to the one on the notice of availability, operating a different type of food service facility, participation in the business enterprise program all state meetings, and vendor committee meetings, or other program support and career enhancement training programs at colleges or universities.

Each panel member will select five applicants. Those applicants as well as the two licensees will be scheduled for

PERMANENT

an interview. The total number of applicants to be interviewed will not exceed seventeen.

THE INTERVIEW PROCESS

During the interview the panel will complete an applicant rating form for each applicant. The panel will rate each applicant on the interview questions and will use those ratings as guidelines for final selection. The panel selects the applicant who will operate the location.

All interviewed applicants will be notified of the results of the interview.

AMENDATORY SECTION (Amending Order 84-06, filed 4/16/84)

WAC 67-35-072 ((Available vending locations--))
Vendor status—Loss of any vending facility to the VF program. ~~(((1)) If only one vendor or licensee bids on an available vending location, that individual will receive that available location.~~

~~((2)) No vendor or licensee who has been designated to operate an available vending facility will within the next six months thereafter be designated to operate a subsequently available vending facility, unless such vendor(s) or licensee(s) is (are) the only applicant.~~

~~((3)) The loss of any vending facility to the vending facility program for reasons beyond the control of the vendor assigned that facility, as determined by the staff of the vending facility program, shall permit assignment of the next available vending facility to that vendor ((without respect to other provisions of this section. Any vendor so assigned may make application for a subsequently available facility without respect to subsection (2) of this section. This section prevails over WAC 67-35-070 with regard to selection of vendors)).~~ When a vendor loses the vending facility he/she will be required to indicate geographic availability and will be assigned the next available vending facility within the indicated geographic location. Any vendor who refuses the next available vending location will be required to submit an application for facilities as they become available.

~~(((4)) Licensees will be required to indicate geographic availability at time of application. Any licensee who fails to bid on an available vending facility within the geographic area of availability will be removed from the bidding process. His/her reinstatement will be determined by the business enterprise director in conjunction with the vendors committee.))~~

WSR 95-01-074

PERMANENT RULES

PERSONNEL RESOURCES BOARD

[Filed December 15, 1994, 3:38 p.m., effective February 1, 1995]

Date of Adoption: December 8, 1994.

Purpose: This rule allows agencies to comply with mandated federal and state regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 356-46-125.

Statutory Authority for Adoption: Chapter 41.06 RCW, RCW 41.06.150.

Pursuant to notice filed as WSR 94-23-137 on November 23, 1994.

Changes Other than Editing from Proposed to Adopted Version: The subsections were renumbered to clarify the rule. In subsection (2) of the adopted rule, the language was amended to provide agencies with the ability to use the results of a drug test to require employees to complete a rehabilitation plan. The employee may be subject to subsequent drug testing and the results may be the basis for disciplinary actions.

Effective Date of Rule: February 1, 1995.

December 12, 1994

Dennis Karras

Secretary

AMENDATORY SECTION (Amending WSR 88-03-042, filed 1/19/88, effective 3/1/88)

WAC 356-46-125 Drug testing—Limitations—Uses. ~~(((1)))~~ Except as required by federal or state laws or as provided in subsection ((2)) (1) of this section, no agency may perform or cause to be performed a drug test of any employee or prospective employee.

~~(((2)))~~ (1) An agency may require a specific employee to submit to drug testing designed to identify the presence in the body of controlled substances referenced under chapter 69.50 RCW, other than drugs prescribed by a physician, if:

(a) The agency has specific, objective grounds stated in writing to believe the employee's work performance is impaired due to the presence of such substances in the body; and

(b) The employee is in a position where such impairment presents a danger to the physical safety of the employee or another; and

(c) The agency has a specific written policy authorizing such test, establishing procedures under which they may be conducted, and protecting the confidentiality of the results, provided the results may be disclosed in an action or proceeding challenging any disciplinary action arising from the incident which led to the test. The agency's proposed policy must be submitted to the affected exclusive bargaining representative or representatives and approved by the director of the department of personnel before implementation.

~~(((3)))~~ (2) An employee who is found to be impaired on the job due to the use of controlled substances may be subject to disciplinary action in accordance with existing laws and regulations, but the results of such drug test shall provide no ((additional or)) independent basis for disciplinary action. However, the agency may use the results of a drug test to require an employee to successfully complete a rehabilitation plan. The rehabilitation plan terms may require the employee to pass all subsequent drug tests. In this situation, the independent use of a subsequent drug test may be the basis for disciplinary action.

~~(((4)))~~ (3) In the event an employee is found to have used controlled substances, the agency shall inform the employee of available assistance through the employee advisory service or other similar program.

~~(((5)))~~ (4) Nothing herein shall prevent an agency from conducting medical screening to monitor exposure to toxic

or other unhealthy substances in the work place, provided such screenings are limited to the specific substances reasonably believed to be present.

((6)) (5) Except as expressly set forth above, nothing herein shall add to or detract from any agency authority under chapter 41.06 RCW or regulations of the ((state)) personnel resources board to establish job performance standards, or conditions of employment, or to base continued employment on satisfactory job performance.

WSR 95-01-074A

PERMANENT RULES

PUBLIC DISCLOSURE COMMISSION

[Filed December 16, 1994, 10:44 a.m.]

Date of Adoption: December 13, 1994.

Purpose: Adopt amended rules WAC 390-16-071 Annual report of major contributors and persons making independent expenditures; WAC 390-18-030 Political advertising—Exemptions from identification; WAC 390-20-027 Definition of state elected official, candidate for state office; WAC 390-20-110 Forms for lobbyist employers report; and also repeal a rule.

Citation of Existing Rules Affected by this Order: Repealing WAC 390-20-107; and amending WAC 390-16-071, 390-18-030, 390-20-027, and 390-20-110.

Statutory Authority for Adoption: RCW 42.17.390.

Pursuant to notice filed as WSR 94-22-076 on November 2, 1994.

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

December 13, 1994

Melissa Warheit

Executive Director

AMENDATORY SECTION (Amending WSR 94-11-016, filed 5/5/94)

WAC 390-16-071 Annual report of major contributors and persons making independent expenditures. (1) Any person, other than an individual (a) who made contributions to ((federal,)) state ((and local)) office candidates((; political committees registered in Washington state,)) and statewide ((and local)) ballot ((issue)) proposition committees totaling more than \$10,000 in the aggregate during the preceding calendar year, or (b) who made independent expenditures regarding ((federal,)) state ((and local)) office candidates and statewide ((and local)) ballot ((issues)) propositions totaling more than \$500 in the aggregate during the preceding calendar year, shall file with the commission ((the)) an annual report required pursuant to RCW 42.17.180. This report shall not be required of a lobbyist employer filing an annual L-3 report pursuant to RCW 42.17.180 or of a candidate's authorized committee or a political committee provided the information has been properly reported pursuant to RCW 42.17.080 and .090.

(2) The report is entitled "Special Political Expenditures" and is designated with PDC form number C-7.



Special Political Expenditures

C7

12/94

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1. Name (Use complete company, association, union or entity name.)

Attention (Identify person to whom inquiries about the information below should be directed.)

Mailing Address

Telephone

()

City

State

Zip + 4

THIS REPORT MUST BE FILED BY THE LAST DAY OF FEBRUARY. Disclose all payments or expenditures the reporting entity made or accrued during the previous calendar year for the types of activities described below. Complete each section. Use "none" or "0" when appropriate. Follow the directions on the attached instructions.

Summary of Expenditures

Amount

2. Political contributions to candidates for legislative or statewide executive office, committees supporting or opposing these candidates or committees supporting or opposing statewide ballot measures. Also complete Item 8.

a. Aggregate contributions made by the filer.

b. If contributions were made by a political committee associated, affiliated or sponsored by the filer, show the PAC name below. (Information reported by the PAC on C-4 reports need not be again included as part of this report.)

Name of PAC _____

3. Independent expenditures supporting or opposing a candidate for legislative or statewide executive office or a statewide ballot measure. Show aggregate amount. Also complete Item 9.

4. Expenditures for entertainment, gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses) provided to legislators, state officials, state employees and members of their immediate families. Show aggregate amount. Also complete Item 10.

5. Expenditures to or on behalf of legislators, state officials, their spouses and dependents for the purpose of influencing, honoring or benefiting the legislator or official. Show aggregate amount. Also complete Item 13.

6. Other expenditures related to lobbying state officials, whether payment is made to, through or on behalf of a registered lobbyist. Attach list itemizing each expense. Show date, recipient, purpose and amount.

7. Total Reportable Expenses
(Items 2 thru 6)

Itemized Expenditures

8. Contributions totaling over \$25 to a legislative or statewide executive office candidate, a committee formed to support or oppose one of these candidates or a committee supporting or opposing a statewide ballot measure.

Name of Recipient

Amount

Date

Information continued on attached pages

CONTINUED ON REVERSE

PDC - C7 * * 1

PERMANENT

9. Independent expenditures totaling \$500 or more in support of or opposition to a) a legislative or statewide executive office candidate or b) a statewide ballot measure. See instructions for definition of "independent expenditure" and correct way to determine if threshold has been met.

Candidate's Name, Office Sought & Party or Ballot Measure & Brief Description	Amount	Date and Description of Expense (Note if Support or Oppose)
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Information continued on attached pages

10. Entertainment, gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses) provided to legislators, state officials, state employees and members of their immediate families.

Name and Title	Cost or Value	Date and Description of Entertainment, Gift or Travel
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Information continued on attached pages

11. Compensation of \$1,000 or more during the preceding calendar year for employment or professional services paid to state elected officials, successful candidates for state office and each member of their immediate families.

Name	Relationship to Candidate or Official, if Family Member	Amount (Code)	Description of Consideration or Services Exchanged for Compensation
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Information continued on attached pages

12. Compensation of \$1,000 or more during the preceding calendar year for professional services paid to any corporation, partnership, joint venture, association or other entity in which state elected official, successful state candidate or member of their immediate family holds office, partnership, directorship or ownership interest of 10% or more.

Firm Name	Person's Name	Amount (Code)	Description of Consideration or Services Exchanged for Compensation
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Information continued on attached pages

13. Any expenditure, not otherwise reported, made directly or indirectly to a state elected official, successful candidate for state office or member of the immediate family, if made to honor, influence or benefit the person because of his or her official position.

Name	Amount	Date and Description of Expense
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Information continued on attached pages

14. This report must be certified by the president, secretary-treasurer or similar officer of reporting entity.

Certification: I certify that this report is true, complete and correct to the best of my knowledge.

Signature of Officer

Date

Printed Name and Title of Officer:

PERMANENT

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.

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.

AMENDATORY SECTION (Amending Order 85-03, filed 7/9/85)

WAC 390-18-030 Political advertising—Exemptions from ((sponsor)) identification. (1) Pursuant to RCW 42.17.510(4), the following forms of political advertising need not include the sponsor's name and address, the "notice to voters" or the "top five contributors" information as otherwise required by RCW 42.17.510 (1) and (2) because such identification is impractical: ashtrays, badges and badge holders, balloons, bingo chips, brushes, bumper stickers—size 4" x 15" or smaller, buttons, cigarette lighters, clothes pins, clothing, coasters, combs, cups, earrings, emery boards, envelopes, erasers, frisbees, glasses, golf balls, golf tees, hand-held signs, hats, horns, ice scrapers, inscriptions, key rings, knives, labels, letter openers, magnifying glasses, matchbooks, nail clippers, nail files, newspaper ads of one column inch or less, noisemakers, paper and plastic cups, paper and plastic plates, paper weights, pencils, pendants, pennants, pens, pinwheels, plastic tableware, pocket protectors, pot holders, reader boards where message is affixed in moveable letters, ribbons, 12-inch or shorter rulers, shoe horns, skywriting, staple removers, stickers—size 2-3/4" x 1" or smaller, sunglasses, sun visors, swizzle sticks, state or local voters pamphlets published pursuant to law, tickets to fund raisers, water towers, whistles, yard signs—size 4' x 8' or smaller, yo-yos, and all other similar items.

AMENDATORY SECTION (Amending Order 71, filed 3/23/76)

WAC 390-20-027 Definition—State elected official, candidate for state office. For the purposes of reporting by employers of registered lobbyists pursuant to RCW 42.17.180, the terms "state elected official" and "candidate for state office" shall include governor, lieutenant governor, attorney general, state auditor, commissioner of public lands, insurance commissioner, secretary of state, superintendent of public instruction, state treasurer, state senator((;)) and state representative((; justices of the supreme court and judges of the court of appeals)).

AMENDATORY SECTION (Amending WSR 93-04-072, filed 1/29/93)

WAC 390-20-110 Forms for lobbyist employers report. The official form for statement by employers of registered lobbyists as required by RCW 42.17.180 is designated "L-3," revised ((11/92)) 12/94. Copies of this form are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. Any attachments shall be on 8-1/2" x 11" white paper.

STATE OF WASHINGTON

EMPLOYER'S LOBBYING EXPENSES

PDC FORM L-3	L3
	11/92
	Telephone

1. Employer's Name (Use complete company, association, union or entity name) _____

Mailing Address _____ Telephone _____

City _____ State _____ Zip _____

THIS REPORT MUST BE FILED BY THE LAST DAY OF FEBRUARY. Include expenditures incurred during the previous calendar year for lobbying the Washington State Legislature and/or any state agency. Complete all sections. Use "none" or "0" when applicable.

2. Direct payments to lobbyist(s) for salary, contract, retainer and reimbursement of other lobbying expenses. In the amount listed for each lobbyist, include all contributions and expenses for entertainment, gifts and grass roots lobbying campaigns reported by the lobbyist on the L-2 report.

LOBBYIST NAME (IF PAYMENTS WERE TO LOBBY FIRM, LIST FIRM NAME)	AMOUNT	TOTAL AMOUNT
TOTAL FROM ATTACHED PAGE		
TOTAL PAID DIRECTLY TO LOBBYISTS		→

Information continued on attached page

When completing Items 3 thru 6 below, DO NOT include expenditures already reported in Item 2 above.

3. Other expenditures made by the employer for lobbying purposes. Include any and all:

- a. Payments to vendors on behalf of or in support of registered lobbyists (i.e., food, travel, credit card purchases); _____
 - b. Payments to or on behalf of expert witnesses or others retained to provide lobbying services who offer specialized knowledge or expertise that assists the employer's lobbying effort; _____
 - c. Payments for entertainment, gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses) provided to legislators, state officials, state employees and members of their immediate families; (Also complete Item 8) _____
 - d. Payments for the composition, design, production and distribution of informational materials produced primarily for influencing legislation; _____
 - e. Payments for grass roots lobbying expenses, including those previously reported by employer on PDC Form L-6, and payments for lobbying communications to clients or customers (other than corporate stockholders and members of an association or organization). _____
4. Political contributions to candidates for state office, including the legislature, to committees supporting or opposing those candidates or to committees supporting or opposing statewide ballot measures. (Also complete Item 9.)
- a. Contributions made directly by the employer, including those previously reported on PDC Form L-3c. _____
 - b. If contributions were made by a political action committee associated, affiliated or sponsored by the employer, show name of PAC below. (Information reported by PAC on C-4 report need not be again included as part of this L-3 report.)
Name of PAC _____
5. Payments or expenditures to legislators and state officials and their spouses and dependents for the purpose of influencing, honoring, or benefiting the legislator or official. Do not include payments for goods or services obtained in the normal course of business. (Also complete Item 12.) _____
6. Payments for other expenditures for lobbying, whether through or on behalf of a registered lobbyist or otherwise. Attach list itemizing each expense (i.e., show date, recipient, purpose and amount). Do not show payments included above. _____

TOTAL LOBBYING EXPENSES
(Items 2 thru 6)

7. This report must be certified by the president, secretary-treasurer or similar officer of employer organization.

CERTIFICATION I certify that the information contained in this report is a true, correct and complete statement in accordance with RCW 42.17.180.	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; width: 70%;">SIGNATURE OF EMPLOYER</td> <td style="border-bottom: 1px solid black; width: 30%;">DATE</td> </tr> <tr> <td style="border-bottom: 1px solid black;">NAME TYPED OR PRINTED</td> <td style="border-bottom: 1px solid black;">DATE</td> </tr> </table>	SIGNATURE OF EMPLOYER	DATE	NAME TYPED OR PRINTED	DATE
SIGNATURE OF EMPLOYER	DATE				
NAME TYPED OR PRINTED	DATE				

CONTINUE ON REVERSE

PERMANENT

8. Entertainment, gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses) provided to legislators, state officials, state employees and members of their immediate families. See instruction manual for details.

Name and Title

Cost or Value

Description of Entertainment Gift or Travel

Information continued on attached pages

9. Contributions made directly by the Employer aggregating over \$25 to candidates for state office, the legislature, committees supporting or opposing those candidates or committees supporting or opposing statewide ballot measures. Contributions from an employer-affiliated PAC need not be listed.

Name of Recipient

Amount

Date

Information continued on attached pages

10. Compensation of \$1,000 or more during the preceding calendar year for employment or professional services paid to state elected officials, successful candidates for state office and each member of their immediate families.

Name

Relationship to Candidate or Elected Official if Member of Family

Amount (Code)

Description of Consideration or Services Exchanged for Compensation

DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

Information continued on attached pages

11. Compensation of \$1,000 or more during the preceding calendar year for professional services paid to any corporation, partnership, joint venture, association or other entity in which a state elected official, successful state candidate or member of the immediate family holds office, partnership, directorship or ownership interest of 10% or more.

Firm Name

Person's Name

Amount (Code)

Description of Consideration or Services Exchanged for Compensation

Information continued on attached pages

12. Any expenditure, not otherwise reported, made directly or indirectly to a state elected official, successful candidate for state office or member of the immediate family, if made to honor, influence or benefit the person because of his official position.

Name

Amount

Purpose

Information continued on attached pages

Public Disclosure Commission, 711 Capitol Way, Room 403, PO Box 40908, Olympia, WA 98504-0908

PERMANENT

STATE OF WASHINGTON

EMPLOYER'S LOBBYING EXPENSES

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1. Employer's Name (Use complete company, association, union or entity name.)

Attention (Identify person to whom inquiries about the information below should be directed; NOT the lobbyist.)

Mailing Address

Telephone

City

State

Zip + 4

THIS REPORT MUST BE FILED BY THE LAST DAY OF FEBRUARY. Include expenditures made and accrued during the previous calendar year for lobbying the Washington State Legislature and/or any state agency. Complete all sections. Use "none" or "0" when applicable.

2. Identify each of your lobbyists/lobbying firms below. In column 1, show the full amount of salary or fee each earned for lobbying. In column 2, show the full amount paid (plus obligated) for other lobbying related expenses that were made by or through the lobbyist and reported by the lobbyist on the monthly L-2 report (e.g., contributions to legislative candidates, gifts for public officials, reimbursement for entertainment expenses, etc.). Compute the subtotals across and down the columns; put the grand total of expenses incurred by or through lobbyists in the space designated.

Names of Registered Lobbyists (if payments were to lobbying firm, list firm name)	Col 1-Salary	Col 2-Other	Total Amount
Total From Attached Page			

Information continued on attached pages

Total Expenses By or Through Lobbyists

DO NOT INCLUDE EXPENDITURES ALREADY ACCOUNTED FOR IN ITEM 2 ABOVE when completing items 3 through 7 below.

3. Other expenditures made by the employer for lobbying purposes. Show total expenditures made/accrued:

- a. to vendors on behalf of or in support of registered lobbyists (e.g., entertainment credit card purchases);
- b. to or on behalf of expert witnesses or others retained to provide lobbying services who offer specialized knowledge or expertise that assists the employer's lobbying effort;
- c. for entertainment, gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses) provided to legislators, state officials, state employees and members of their immediate families; (Also complete Item 9.)
- d. for composing, designing, producing and distributing informational materials for use primarily to influence legislation; and
- e. for grass roots lobbying expenses, including those previously reported by employer on Form L-6, and payments for lobbying communications to clients/customers (other than to corporate stockholders and members of an organization or union).

4. Political contributions to candidates for legislative or statewide executive office, committees supporting or opposing these candidates, or committees supporting or opposing statewide ballot measures. (Also complete Item 10.)

- a. Contributions made directly by the employer, including those previously reported on PDC Form L-3c.
- b. If contributions were made by a political committee associated, affiliated or sponsored by the employer, show the PAC name below. (Information reported by the PAC on C-4 reports need not be again included as part of this L-3 report.)
Name of PAC _____

5. Independent expenditures supporting or opposing a candidate for legislative or statewide executive office or a statewide ballot measure. (Also complete Item 11.)

6. Expenditures to or on behalf of legislators, state officials, their spouses and dependents for the purpose of influencing, honoring or benefiting the legislator or official. (Normal course of business payments are not reportable.) (Also complete Item 14.)

7. Other lobbying-related expenditures, whether through or on behalf of a registered lobbyist. Attach list itemizing each expense (i.e., show date, recipient, purpose and amount). Do not include payments accounted for above.

Total Lobbying Expenses
(Items 2 thru 7)

8. This report must be certified by the president, secretary-treasurer or similar officer of lobbying employer.

Certification: I certify that this report is true, complete and correct to the best of my knowledge.

Signature of Employer Officer

Date

Printed Name and Title of Officer:

CONTINUED ON REVERSE

PDC-13 ***

9. Entertainment, gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses) provided to legislators, state officials, state employees and members of their immediate families. See instruction manual for details.

Name and Title	Cost or Value	Date and Description of Entertainment, Gift or Travel
<input type="checkbox"/> Information continued on attached pages		

10. Contributions (not reported by the lobbyist) totaling over \$25 to a legislative or statewide executive office candidate, a committee formed to support or oppose one of these candidates or a committee supporting or opposing a statewide ballot measure. Do not list employer-affiliated PAC contributions.

Name of Recipient	Amount	Date (and, if In-Kind, Description)
<input type="checkbox"/> Information continued on attached pages		

11. Independent expenditures totaling \$500 or more in support of or opposition to a) a legislative or statewide executive office candidate or b) a statewide ballot proposition. See instruction manual for definition of "Independent expenditure" and correct way to determine if threshold has been met.

Candidate's Name, Office Sought & Party or Ballot Proposition Number & Brief Description	Amount	Date and Description of Expense (Note if Support or Oppose)
<input type="checkbox"/> Information continued on attached pages		

12. Compensation of \$1,000 or more during the preceding calendar year for employment or professional services paid to state elected officials, successful candidates for state office and each member of the immediate families.

Name	Relationship to Candidate or Elected Official if Member of Family	Amount (Code)	Description of Consideration or Services Exchanged for Compensation
<input type="checkbox"/> Information continued on attached pages			

DOLLAR CODE	AMOUNT
A - \$1 to \$1,999	
B - \$2,000 to \$9,999	
C - \$10,000 to \$19,999	
D - \$20,000 to \$49,999	
E - \$50,000 or more	

13. Compensation of \$1,000 or more during the preceding calendar year for professional services paid to any corporation, partnership, joint venture, association or other entity in which state elected official, successful state candidate or member of their immediate family holds office, partnership, directorship or ownership interest of 10% or more.

Firm Name	Person's Name	Amount (Code)	Description of Consideration or Services Exchanged for Compensation
<input type="checkbox"/> Information continued on attached pages			

14. Any expenditure, not otherwise reported, made directly or indirectly to a state elected official, successful candidate for state office or member of the immediate family, if made to honor, influence or benefit the person because of his or her official position.

Name	Amount	Purpose
<input type="checkbox"/> Information continued on attached pages		

Public Disclosure Commission, 711 Capitol Way, Room 403, PO Box 40908, Olympia, WA 98504-0908

PERMANENT

REPEALER

WAC 390-20-107 Lobbyist's employer—Reporting of "total expenditures."

**WSR 95-01-075
PERMANENT RULES**

DEPARTMENT OF AGRICULTURE
[Order 5063—Filed December 16, 1994, 1:29 p.m.]

Date of Adoption: December 16, 1994.
Purpose: To repeal the current Phosdrin rules.
Citation of Existing Rules Affected by this Order:
Repealing WAC 16-219-015, 16-219-017, 16-219-018, 16-219-020, 16-219-022, 16-219-025, 16-219-027, 16-219-029, and 16-219-031.
Statutory Authority for Adoption: Chapters 17.21 and 15.58 RCW.
Pursuant to notice filed as WSR 94-21-085 on October 19, 1994.
Effective Date of Rule: Thirty-one days after filing.

December 16, 1994
Jim Jesernig
Director

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 16-219-015 Restricted use pesticides—Mevinphos (Phosdrin).
- (2) WAC 16-219-017 Use requirements—Mevinphos (Phosdrin).
- (3) WAC 16-219-018 Certified applicator requirements—Mevinphos (Phosdrin).
- (4) WAC 16-219-020 Application requirements—Mevinphos (Phosdrin).
- (5) WAC 16-219-022 Closed systems—Mevinphos (Phosdrin).
- (6) WAC 16-219-025 Restricted entry interval—Posting—Mevinphos (Phosdrin).
- (7) WAC 16-219-027 Prior notification—Mevinphos (Phosdrin).
- (8) WAC 16-219-029 Dealer requirements—Mevinphos (Phosdrin).
- (9) WAC 16-219-031 Weather conditions—Mevinphos (Phosdrin).

**WSR 95-01-076
PERMANENT RULES**

DEPARTMENT OF AGRICULTURE
[Order 5062—Filed December 16, 1994, 1:31 p.m.]

Date of Adoption: December 16, 1994.
Purpose: To prohibit the use and sale of mevinphos (Phosdrin).

Statutory Authority for Adoption: Chapters 17.21 and 15.58 RCW.
Pursuant to notice filed as WSR 94-21-086 on October 19, 1994.
Effective Date of Rule: Thirty-one days after filing.
December 16, 1994
Jim Jesernig
Director

NEW SECTION

WAC 16-219-016 Restricted use pesticides—Mevinphos (Phosdrin). The sale and use of all formulations of mevinphos (Phosdrin) are prohibited in the state of Washington after February 28, 1995, and the distribution of mevinphos (Phosdrin) shall not be allowed after December 31, 1994.

**WSR 95-01-077
PERMANENT RULES**

DEPARTMENT OF AGRICULTURE
[Order 5060—Filed December 16, 1994, 1:35 p.m.]

Date of Adoption: December 16, 1994.
Purpose: The new language adopts the federal definition of an "agricultural emergency" and "substantial economic loss" which will allow the agency to declare conditions that may lead to an agricultural emergency and place geographic boundaries to the emergency area prior to the actual emergency.

Citation of Existing Rules Affected by this Order:
Amending WAC 16-228-010.

Statutory Authority for Adoption: Chapters 15.58 and 17.21 RCW.
Pursuant to notice filed as WSR 94-21-087 on October 19, 1994.

Changes Other than Editing from Proposed to Adopted Version: In new section WAC 16-228-655(1), the wording "other than that caused by equipment failure," was removed from the first sentence. The wording in subsection (2)(b) was removed, "The time in treated areas under a restricted entry interval for any worker repairing equipment shall not exceed one hour in any twenty-four hour period."

Effective Date of Rule: Thirty-one days after filing.
December 16, 1994
Jim Jesernig
Director

AMENDATORY SECTION (Amending WSR 92-07-084, filed 3/17/92)

WAC 16-228-010 Definitions. The definitions set forth in this section shall apply throughout this chapter, unless the context otherwise requires:

- (1) "Agricultural commodity" means any plant, or part of a plant, or animal, or animal product, produced by a person (including farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or other comparable persons) primarily for sale, consumption, propagation, or other use by people or animals.

PERMANENT

(2) "Agricultural emergency" means a sudden occurrence or set of circumstances which the agricultural employer could not have anticipated and over which the agricultural employer has no control, and which requires entry into a pesticide treated area during a restricted-entry interval, when no alternative practices would prevent or mitigate a substantial economic loss.

(3) "Authorized agent" is any person who is authorized to act on behalf of a certified applicator for the purpose of purchasing pesticides.

~~((3))~~ (4) "Bait box" for rodenticides is a box constructed of durable metal, wood, plastic, or other treated synthetic material. It shall be designed to hold rodent bait securely, allow rodents to enter and leave, and prevent unauthorized persons and domestic animals from gaining access to the bait. The cover shall be provided with a lock that can be unlocked only by a combination, key, special tool, or forced entry. Fragile materials are unacceptable.

~~((4))~~ (5) "Bait station" may be any location where baits are placed to allow target pests to gain access to the bait.

~~((5))~~ (6) "Bulk fertilizer" is a commercial fertilizer, agricultural mineral, or lime, distributed in nonpackaged form.

~~((6))~~ (7) "Certified applicator" means any individual who is licensed as a commercial pesticide applicator, commercial pesticide operator, public operator, private-commercial applicator, demonstration and research applicator, or certified private applicator, or any other individual who is certified by the director to use or supervise the use of any pesticide which is classified by the EPA as a restricted use pesticide or by the state as restricted to use by certified applicators only.

~~((7))~~ (8) "Complete wood destroying organism inspection" means (a) an inspection of a structure for the purpose of determining (i) evidence of infestation(s), and (ii) damage, and (iii) conducive conditions; or (b) any wood destroying organism inspection which is conducted as the result of a telephone solicitation by an inspection firm or pest control business, even if the inspection would otherwise fall within the definition of a limited wood destroying organism inspection.

~~((8))~~ (9) "Conducive conditions" means those conditions which may lead to or enhance an infestation of wood destroying organisms.

~~((9))~~ (10) "Controlled disposal site" means any place where solid or liquid waste is disposed: *Provided*, That the area has been designated as a disposal site for waste materials by the appropriate jurisdictional agency: *Provided further*, That the site is fenced, barricaded or otherwise enclosed or attended by some person in charge to facilitate control-access of domestic animals, pets, and unauthorized persons.

~~((10))~~ (11) "Department" means the Washington state department of agriculture.

~~((11))~~ (12) "Diluent" means a material, liquid or solid, serving to dilute the pesticide product to field strength for adequate coverage (such as water).

~~((12))~~ (13) "Director" means the director of the department or a duly authorized representative.

~~((13))~~ (14) "Dry pesticide" is any granular, pelleted, dust or wettable powder pesticide.

~~((14))~~ (15) "EPA" means the United States Environmental Protection Agency.

~~((15))~~ (16) "EPA restricted use pesticide" means any pesticide with restricted uses as classified for restricted use by the administrator, EPA.

~~((16))~~ (17) "Fertilizer" as included in this order means any liquid or dry mixed fertilizer, fertilizer material, specialty fertilizer, agricultural mineral, or lime.

~~((17))~~ (18) "FIFRA" means the Federal Insecticide, Fungicide and Rodenticide Act as amended (61 stat. 163, 7 U.S.C. Sec. 136 et seq.).

~~((18))~~ (19) "Floor level" is considered to be the floor upon which people normally walk—not shelves, ledges, overhead beams, tops of stacked materials, surfaces of equipment, or similar places.

~~((19))~~ (20) "Food service establishment" means any fixed or mobile restaurant; coffee shop; cafeteria; short order cafe; luncheonette; grill; tearoom; sandwich shop; soda fountain; tavern; bar; cocktail lounge; nightclub; roadside stand; industrial-feeding establishment; retail grocery; retail food market; retail meat market; retail bakery; private, public, or nonprofit organization routinely serving food; catering kitchen; commissary or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere; and any other eating or drinking establishment or operation where food is served or provided for the public with or without charge.

~~((20))~~ (21) "Fumigant" means any substance or combination of substances that produce gas, fumes, vapors, or smoke, and is used to kill pests in some kind of enclosure.

~~((21))~~ (22) "Highly toxic pesticide" for the purpose of this chapter, means any pesticide that conforms to the criteria in 40 C.F.R. Sec. 156.10 for toxicity Category I due to oral inhalation or dermal toxicity.

~~((22))~~ (23) "Limited wood destroying organism inspection" means the inspection of a structure for purposes of identifying or verifying evidence of an infestation of wood destroying organisms.

~~((23))~~ (24) "Private applicator" means a certified applicator who uses or is in direct supervision of the use of (a) any EPA restricted use pesticide; or (b) any state restricted use pesticide restricted to use only by certified applicators by the director for the purposes of producing any agricultural commodity and for any associated noncrop application on land owned or rented by the private applicator or the applicator's employer or if applied without compensation other than trading of personal services between producers of agricultural commodities on the land of another person.

~~((24))~~ (25) "Private-commercial applicator" means a certified applicator who uses or supervises the use of (a) any EPA restricted use pesticide; or (b) any restricted use pesticide restricted to use only by certified applicators for purposes other than the production of any agricultural commodity on lands owned or rented by the applicator or the applicator's employer.

~~((25))~~ (26) "State restricted use pesticide" means any pesticide determined to be a restricted use pesticide by the director under the authority of chapters 17.21 and 15.58 RCW that are restricted to use only by certified applicators.

(27) "Substantial economic loss" means a loss in profitability greater than that which would be expected based

on the experience and fluctuations of crop yields in previous years. Only losses caused by the agricultural emergency specific to the affected site and geographic area are considered. The contribution of mismanagement cannot be considered in determining the loss.

~~((26))~~ (28) "Unreasonable adverse effects on the environment" means any unreasonable risk to people or the environment taking into account the economic, social and environmental costs and benefits of the use of any pesticide, or as otherwise determined by the director.

~~((27))~~ (29) "Waste pesticide" is any pesticide formulation which cannot be used according to label directions in Washington state because of cancellation or suspension of its federal or state registration, or deterioration of the product or its label, and any pesticide formulation whose active ingredients are not clearly identifiable because of label deterioration or because the pesticide is not stored in its original container.

~~((28))~~ (30) "Wood destroying organisms" means those organisms including, but not limited to, subterranean termites, dampwood termites, carpenter ants, wood boring beetles of the family anobiidae (deathwatch beetle), and wood decay fungus (rot). Wood destroying organisms shall not include such organisms which occurred prior to the manufacturing or processing of the lumber, e.g., pocket rot.

~~((29))~~ (31) "Wood destroying organism inspection" means the service of inspecting a building for the presence of wood destroying organism pests destructive to its structural components, and/or their damage, and/or conducive conditions. For purposes of these rules a wood destroying organism inspection shall be either a "complete wood destroying organism inspection" or a "limited wood destroying organism inspection."

NEW SECTION

WAC 16-228-650 Declaration of an agricultural emergency. (1) The Director may declare the existence of circumstances causing an agricultural emergency on a particular establishment or establishments.

(2) The Director may declare an agricultural emergency based on the reasonably expected certainty of circumstances occurring based on weather or other forecasts that would create conditions that would normally be anticipated to cause an agricultural emergency.

(3) The agricultural employer may determine if the establishment under his/her control is subject to the agricultural emergency declared by the Director.

(4) Emergency repair of equipment that is in use and sited within a pesticide treated area under a restricted-entry interval, such as frost protection devices, shall be considered to be an agricultural emergency. The conditions in WAC 16-228-655 shall be met.

(5) Activities that require immediate response such as fire suppression, relocation of greenhouse plants due to power failure, and similar conditions, shall be considered to be agricultural emergencies. The conditions in WAC 16-228-655 shall be met.

NEW SECTION

WAC 16-228-655 Agricultural activities permitted under an agricultural emergency (1) A worker may enter a pesticide treated area under a restricted-entry interval in an agricultural emergency to perform tasks, including hand labor tasks, necessary to mitigate the effects of the agricultural emergency if the agricultural employer assures that all the following requirements are met:

(a) No entry is permitted for the first four hours after the pesticide application or the minimum reentry interval allowed by EPA for that product, whichever is less;

(b) The personal protective equipment specified on the product labeling for early entry is provided to the worker;

(c) The agricultural employer shall assure that the worker, before entering the treated area, either has read the product labeling or has been informed, in a manner the worker can understand, of all labeling requirements related to human hazards or precautions, first aid, symptoms of poisoning, personal protective equipment specified for early entry, and any other labeling requirements related to safe use;

(d) The agricultural employer shall assure that the worker wears the proper PPE and that the PPE is in operable condition and that the worker has been trained in its proper use.

(e) The agricultural employer shall assure that measures have been taken, when appropriate, to prevent heat-related illness.

(f) A decontamination site has been provided in accordance with EPA regulations.

(g) The agricultural employer shall not allow or direct any worker to wear home or take home personal protective equipment contaminated with pesticides.

(2) If the agricultural emergency is due to equipment failure, then the agricultural employer shall assure that all the requirements in subsection (1) of this section are met plus the following additional requirement. The only permitted activity until the restricted-entry interval has elapsed is equipment repair that would mitigate the effect of the equipment failure.

NEW SECTION

WAC 16-228-660 Record keeping required for agricultural emergencies. (1) If the employer declares that his/her establishment is affected by an agricultural emergency and that activities regulated by the Worker Protection Standard have been performed, the employer shall keep the following records for seven years from the date of the agricultural emergency:

- (a) Date of the agricultural emergency;
- (b) Time of the agricultural emergency, start and end;
- (c) Reason for the agricultural emergency, such as frost, fire, equipment failure, etc.;
- (d) Crop/site;
- (e) Pesticide(s) - name, EPA number, REI;
- (f) Name, date, time of entry and exit of early-entry person(s);

(g) Estimated potential of economic loss which would have occurred had no early-entry been allowed.

(2) Records shall be completed within twenty-four hours of the early-entry exposure and be available to the depart-

ment and/or department of health and/or medical facility or treating physician if requested by the above or the employee.

WSR 95-01-107
PERMANENT RULES
DEPARTMENT OF HEALTH

(Nursing Care Quality Assurance Commission)

[Filed December 21, 1994, 8:48 a.m.]

Date of Adoption: November 17, 1994.

Purpose: To assist potential applicants by expanding information on education required and to make explicit the scope of practice recognized by the commission.

Statutory Authority for Adoption: RCW 18.79.110.

Pursuant to notice filed as WSR 94-20-078 on October 4, 1994.

Effective Date of Rule: Thirty-one days after filing.
December 1, 1994

Patricia O. Brown, RN, MSN
Executive Director

AMENDATORY SECTION (Amending Order 306B, filed 9/30/92, effective 10/31/92)

WAC 246-839-300 Advanced registered nurse practitioner. An advanced registered nurse practitioner is a registered nurse prepared in a formal educational program to assume an expanded role in providing health care services. ~~Advanced registered nurse practitioners (when functioning within the recognized scope of practice,) function within the scope of practice reviewed and approved by the board. Those scopes reviewed are the statements of scope accepted by the certifying bodies as the basis for their test plan and selection of test items. Advanced registered nurse practitioners~~ are qualified to assume primary responsibility for the care of their patients. This practice incorporates the use of independent judgment as well as collaborative interaction with other health care professionals when indicated in the assessment and management of wellness and conditions as appropriate to the ARNP's area of specialization. An advanced registered nurse practitioner shall:

(1) Hold a current license to practice as a registered nurse in Washington; and

(2) Have completed ~~((an))~~ a formal advanced ~~((formal))~~ nursing education ~~((program in the area of specialty))~~ meeting the requirements of WAC 246-839-305; and

(3) Present documentation of initial certification credential for specialized and advanced nursing practice granted by a national certifying body whose certification program is approved by the board, and subsequently maintain currency and competency as defined by the certifying body.

(4) Be held accountable to scope of practice and the standards of care established for the specialty as reviewed and approved by the board.

NEW SECTION

WAC 246-839-305 Criteria for formal advanced nursing education meeting the requirement for ARNP licensure. (1) The college or university graduate education program which prepares the registered nurse for advanced nursing practice as an ARNP shall have as its primary

purpose the preparation of nurses for the expanded nursing role as an advanced registered nurse practitioner. Documentation that may be requested to substantiate preparation for the ARNP role may include, but shall not be limited to:

(a) The philosophy, purpose, and objectives of the program, which are clearly defined and available in written form.

(b) The objectives reflecting the philosophy which are written in outcomes that describe the competencies of the graduate.

(c) Administrative policies of the program, which include:

(i) Clearly stated admission criteria, available in written form.

(ii) Provision of official evidence that the student has completed the program successfully.

(iii) Documentation that the program is conducted by an accredited college or university.

(d) Evidence that faculty meet the following requirements:

(i) Inclusion of faculty who are currently authorized to assume primary responsibility for patient care in the given specialty.

(ii) Only medical faculty who are authorized to practice.

(iii) The number of qualified faculty in the specialty area available to develop and implement the program is adequate.

(iv) Preceptors participate in teaching, supervising, and evaluating students. Criteria are in place for selection and functioning of preceptors. Preceptors guide students and communicate with faculty regarding student progress.

(e) Curriculum of the advanced nursing practice program which reflects:

(i) Course content that is consistent with the philosophy and objectives of the program.

(ii) Theory and clinical experience relevant to the specialized area of advanced practice and leading to achievement of the defined outcome competencies. These shall include content in biological, behavioral, nursing, medical, pharmacological, and regulation of the advanced practice role.

(iii) Before January 1, 1995, content that requires a minimum of one academic year for completion.

(iv) After January 1, 1995, content that culminates in a graduate degree with a concentration in advanced nursing practice.

(v) If the educational program to prepare for the advanced nursing practice role is taken after completion of the graduate degree, the candidate must submit evidence that the practitioner preparation program, as stated in (e)(ii) of this subsection, is equivalent to that leading to a graduate degree in advanced practice specialty.

(f) Outlines and descriptions of curriculum content which are available in written form.

(2) The board will review educational programs that an applicant is considering for preparation for advanced practice to assist in selection of a program that meets requirements. All requests for review must be in writing. Written response will be provided to all applicants in this category and maintained in applicants file at the board of nursing.

AMENDATORY SECTION (Amending Order 306B, filed 9/30/92, effective 10/31/92)

WAC 246-839-310 Use of nomenclature. Any person who qualifies under WAC 246-839-300 and whose application for advanced registered nurse practitioner designation has been approved by the board shall be designated as an advanced registered nurse practitioner and shall have the right to use the title "advanced registered nurse practitioner" or nurse practitioner and the abbreviation following the nurse's name shall read "ARNP" and the title or abbreviation designated by the approved national certifying body. No other initials or abbreviations shall legally denote advanced nursing practice. No other person shall assume such title or use such abbreviation. No other person shall use any other title, words, letters, signs or figures to indicate that the person using same is recognized as an advanced registered nurse practitioner and:

- (1) Family nurse practitioner, FNP; or
- (2) Women's health care nurse practitioner; or
- (3) Pediatric nurse practitioner/associate, PNP/PNA; or
- (4) Adult nurse practitioner, ANP; or
- (5) Geriatric nurse practitioner, GNP; or
- (6) Certified nurse midwife/nurse midwife, CNM; or
- (7) Certified registered nurse anesthetist, CRNA; or
- (8) School nurse practitioner, SNP; or
- (9) Neonatal nurse practitioner, NNP.

NEW SECTION

WAC 246-839-315 Clinical specialist in psychiatric/mental health nursing. Clinical specialist in psychiatric/mental health nursing is an advanced practice specialty which may qualify for ARNP licensure as delineated in WAC 246-839-305. Clinical specialist in psychiatric/mental health is a title which may be used by persons certified by the national credentialing body, but who are not ARNP's.

AMENDATORY SECTION (Amending Order 214B, filed 11/19/91, effective 12/20/91)

WAC 246-839-340 Application requirements for ARNP. A registered nurse applicant for ~~((designation))~~ licensure as an ARNP shall:

(1) ~~((After January 1, 1995 show evidence of a master's degree in the nursing or health care field from an accredited college or university, except for those applicants who provide documentation as requested by the board that the applicant was:~~

~~(a) Certified by a board approved national certification program prior to December 31, 1994; and~~

~~(b) Recognized by another state board of nursing for advanced practice prior to December 31, 1994.~~

~~(2) Meet the requirements of WAC 246-839-300.~~

~~(3) Submit a completed application on a form furnished by the board-))~~ Submit a completed application and nonrefundable fee as specified in WAC 246-839-990.

(2) Meet the requirements of WAC 246-839-300 and 246-839-305. The following documents shall be submitted as evidence to these requirements:

(a) An official transcript received by the board directly from the formal advanced nursing education program showing all courses, grades, degree or certificate granted,

official seal and appropriate registrar or program director's signature.

(b) Program objectives and course descriptions.

(c) Documentation from program director or faculty specifying the area of specialty, unless such is clearly indicated on the official transcript.

(3) Have graduated from an advanced nursing education program, as defined in WAC 246-839-300, within five years of application; if longer than five years have practiced a minimum of one thousand five hundred hours in an expanded specialty role within five years immediately preceding application.

(4) Submit evidence of certification by a certification program approved by the board.

(5) ~~((Submit a nonrefundable fee as specified in WAC 246-839-990.))~~ Persons not meeting the educational requirements in subsection (2) of this section may be licensed if:

(a) Certified prior to December 31, 1994, by a national certifying organization recognized by the board at the time certification was granted; and

(b) Recognized as an advanced registered nurse practitioner by another jurisdiction prior to December 31, 1994; and

(c) Completed an advanced registered nurse practitioner program equivalent to one academic year.

(6) Persons not meeting the requirements in subsection (3) of this section may be licensed following successful completion of five hundred hours of clinical practice supervised by an advanced registered nurse practitioner or a physician (licensed under chapter 18.71 or 18.57 RCW) in the same specialty area. Following completion of the supervised practice, the supervisor shall submit an evaluation to the board and verify that the applicant's knowledge and skills are at a safe and appropriate level.

NEW SECTION

WAC 246-839-345 ARNP designation in more than one area of specialty. (1) An applicant who wishes to be recognized in more than one ARNP area of specialization and title shall be required to submit separate application and nonrefundable fee for each area.

(2) All requirements in WAC 246-839-300 through 246-839-370 must be met for each area of specialization.

NEW SECTION

WAC 246-839-365 Return to active ARNP status from inactive or lapsed status. Persons on inactive or lapsed status who do not hold a current active license in any other United States jurisdiction and who wish to return to active status shall apply for reinstatement of ARNP licensure. This requires:

(1) Current RN license in the state of Washington.

(2) Evidence of current certification by his/her certifying body.

(3) Documentation of thirty contact hours of continuing education in the area of specialty during the last two years.

(4) Two hundred fifty hours of precepted/supervised advanced clinical practice supervised by an ARNP or physician in the same specialty within the last year.

During the time of the preceptorship, the nurse will be practicing under RN license and will not use the designation ARNP.

ARNP licensure must be reinstated before reapplying for prescriptive authority. At that time the CE requirement will be the same as if applying for prescriptive authority for the first time, as in WAC 246-839-410.

WSR 95-01-108
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Filed December 21, 1994, 8:50 a.m.]

Date of Adoption: December 6, 1994.

Purpose: To bring the radiation protection rules into conformance with federal regulations and to perform housekeeping changes for consistency with other radiation protection rules and to correct typographical errors.

Citation of Existing Rules Affected by this Order: Amending WAC 246-220-010, 246-220-110, 246-221-250, 246-221-260, and 246-235-150.

Statutory Authority for Adoption: RCW 70.98.050.

Pursuant to notice filed as WSR 94-22-005 on October 19, 1994.

Changes Other than Editing from Proposed to Adopted Version: Only editing changes were made.

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

December 20, 1994

Bruce Miyahara
Secretary

AMENDATORY SECTION (Amending WSR 94-01-073, filed 12/9/93, effective 1/9/94)

WAC 246-220-010 Definitions. As used in these regulations, these terms have the definitions set forth below. Additional definitions used only in a certain part will be found in that part.

(1) "A₁" means the maximum activity of special form radioactive material permitted to be transported in a Type A package. "A₂" means the maximum activity of normal form radioactive material permitted to be transported in a Type A package. A₁ and A₂ values are assigned to individual radionuclides and are tabulated in ~~((Appendix A of))~~ WAC 246-220-110, Appendix A. Methods of calculating values are also given.

(2) "Absorbed dose" means the energy imparted by ionizing radiation per unit mass of irradiated material. The units of absorbed dose are the gray (Gy) and the rad.

(3) "Accelerator produced material" means any material made radioactive by exposing it in a particle accelerator.

(4) "Act" means Nuclear energy and radiation, chapter 70.98 RCW.

(5) "Activity" means the rate of disintegration or transformation or decay of radioactive material. The units of activity are the becquerel (Bq) and the curie (Ci).

(6) "Adult" means an individual eighteen or more years of age.

(7) "Agreement state" means any state with which the United States Nuclear Regulatory Commission has entered

into an effective agreement under section 274 b. of the Atomic Energy Act of 1954, as amended (73 Stat. 689).

(8) "Airborne radioactive material" means any radioactive material dispersed in the air in the form of particulates, dusts, fumes, mists, vapors, or gases.

(9) "Airborne radioactivity area" means a room, enclosure, or operating area in which airborne radioactive material exists in concentrations (a) in excess of the derived air concentration (DAC) specified in WAC 246-221-290, Appendix A, or (b) to such a degree that an individual present in the area without respiratory protective equipment could exceed, during the hours an individual is present in a week, an intake of 0.6 percent of the annual limit on intake (ALI) or twelve DAC-hours.

(10) "Alert" means events may occur, are in progress, or have occurred that could lead to a release of radioactive material but that the release is not expected to require a response by offsite response organizations to protect persons offsite.

~~((11))~~ (11) "Annual limit on intake" (ALI) means the derived limit for the amount of radioactive material taken into the body of an adult worker by inhalation or ingestion in a year. ALI is the smaller value of intake of a given radionuclide in a year by the reference man that would result in a committed effective dose equivalent of 0.05 Sv (5 rem) or a committed dose equivalent of 0.5 Sv (50 rem) to any individual organ or tissue. ALI values for intake by ingestion and by inhalation of selected radionuclides are given in WAC 246-221-290.

~~((12))~~ (12) "Background radiation" means radiation from cosmic sources; naturally occurring radioactive materials, including radon, except as a decay product of source or special nuclear material, and including global fallout as it exists in the environment from the testing of nuclear explosive devices. "Background radiation" does not include sources of radiation from radioactive materials regulated by the department.

~~((13))~~ (13) "Becquerel" (Bq) means the SI unit of activity. One becquerel is equal to 1 disintegration or transformation per second (s⁻¹).

~~((14))~~ (14) "Bioassay" means the determination of kinds, quantities or concentrations, and, in some cases, the locations of radioactive material in the human body, whether by direct measurement, in vivo counting, or by analysis and evaluation of materials excreted or removed from the human body. For purposes of these regulations, "radiobioassay" is an equivalent term.

~~((15))~~ "~~Brachytherapy~~" means ~~a method of radiation therapy in which sealed sources are utilized to deliver a radiation dose at a distance of up to a few centimeters, by surface, intracavitary, or interstitial application.~~

(15) "Byproduct material" means: (a) Any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material, and (b) the tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content, including discrete surface wastes resulting from uranium or thorium solution extraction processes. Underground ore bodies depleted by these solution extraction operations do not constitute "by-product material" within this definition.

(16) "Calendar quarter" means not less than twelve consecutive weeks nor more than fourteen consecutive weeks. The first calendar quarter of each year shall begin in January and subsequent calendar quarters shall be so arranged such that no day is included in more than one calendar quarter and no day in any one year is omitted from inclusion within a calendar quarter. No licensee or registrant shall change the method of determining calendar quarters for purposes of these regulations except at the beginning of a calendar year.

(17) "Calibration" means the determination of (a) the response or reading of an instrument relative to a series of known radiation values over the range of the instrument, or (b) the strength of a source of radiation relative to a standard.

(18) "CFR" means Code of Federal Regulations.

(19) "Class" means a classification scheme for inhaled material according to its rate of clearance from the pulmonary region of the lung. Materials are classified as D, W, or Y, which applies to a range of clearance half-times: For Class D, Days, of less than ten days, for Class W, Weeks, from ten to one hundred days, and for Class Y, Years, of greater than one hundred days. For purposes of these regulations, "lung class" and "inhalation class" are equivalent terms. For "class of waste" see WAC 246-249-040.

(20) "Collective dose" means the sum of the individual doses received in a given period of time by a specified population from exposure to a specified source of radiation.

(21) "Committed dose equivalent" ($H_{T,50}$) means the dose equivalent to organs or tissues of reference (T) that will be received from an intake of radioactive material by an individual during the fifty-year period following the intake.

(22) "Committed effective dose equivalent" ($H_{E,50}$) is the sum of the products of the weighting factors applicable to each of the body organs or tissues that are irradiated and the committed dose equivalent to each of these organs or tissues ($H_{E,50} = \sum w_T H_{T,50}$).

(23) "Controlled area." See "Restricted area."

(24) "Curie" means a unit of quantity of radioactivity. One curie (Ci) is that quantity of radioactive material which decays at the rate of 3.7×10^{10} transformations per second (tps).

(25) "Declared pregnant woman" means a woman who has voluntarily informed her employer, in writing, of her pregnancy, and her estimated date of conception.

(26) "Deep dose equivalent" (H_d), which applies to external whole body exposure, means the dose equivalent at a tissue depth of 1 centimeter (1000 mg/cm^2).

(27) "Department" means the department of health, division of radiation protection, which has been designated as the state radiation control agency.

(28) "Depleted uranium" means the source material uranium in which the isotope Uranium-235 is less than 0.711 percent by weight of the total uranium present. Depleted uranium does not include special nuclear material.

(29) "Derived air concentration" (DAC) means the concentration of a given radionuclide in air which, if breathed by the reference man for a working year of two thousand hours under conditions of light work, results in an intake of one ALI. For purposes of these regulations, the condition of light work is an inhalation rate of 1.2 cubic

meters of air per hour for two thousand hours in a year. DAC values are given in WAC 246-221-290.

(30) "Derived air concentration-hour" (DAC-hour) means the product of the concentration of radioactive material in air, expressed as a fraction or multiple of the derived air concentration for each radionuclide, and the time of exposure to that radionuclide, in hours. A licensee or registrant may take two thousand DAC-hours to represent one ALI, equivalent to a committed effective dose equivalent of 0.05 Sv (5 rem).

(31) "Dose" is a generic term that means absorbed dose, dose equivalent, effective dose equivalent, committed dose equivalent, committed effective dose equivalent, total organ dose equivalent, or total effective dose equivalent. For purposes of these regulations, "radiation dose" is an equivalent term.

(32) "Dose commitment" means the total radiation dose to a part of the body that will result from retention in the body of radioactive material. For purposes of estimating the dose commitment, it is assumed that from the time of intake the period of exposure to retained material will not exceed fifty years.

(33) "Dose equivalent (H_T)" means the product of the absorbed dose in tissue, quality factor, and all other necessary modifying factors at the location of interest. The units of dose equivalent are the sievert (Sv) and rem.

(34) "Dose limits" means the permissible upper bounds of radiation doses established in accordance with these regulations. For purposes of these regulations, "limits" is an equivalent term.

(35) "Dosimetry processor" means a person that processes and evaluates individual monitoring devices in order to determine the radiation dose delivered to the monitoring devices.

(36) "dpm" means disintegrations per minute. See also "curie."

(37) "Effective dose equivalent (H_E)" means the sum of the products of the dose equivalent to each organ or tissue (H_T) and the weighting factor (w_T) applicable to each of the body organs or tissues that are irradiated ($H_E = \sum w_T H_T$).

(38) "Embryo/fetus" means the developing human organism from conception until the time of birth.

(39) "Entrance or access point" means any opening through which an individual or extremity of an individual could gain access to radiation areas or to licensed radioactive materials. This includes entry or exit portals of sufficient size to permit human entry, without respect to their intended use.

(40) "Exposure" means (a), when used as a verb, being exposed to ionizing radiation or to radioactive material, or (b), when used as a noun, the quotient of ΔQ by Δm where " ΔQ " is the absolute value of the total charge of the ions of one sign produced in air when all the electrons (negatrons and positrons) liberated by photons in a volume element of air having mass " Δm " are completely stopped in air. The special unit of exposure is the roentgen (R) and the SI equivalent is the coulomb per kilogram. One roentgen is equal to 2.58×10^{-4} coulomb per kilogram of air.

(41) "Exposure rate" means the exposure per unit of time, such as roentgen per minute and milliroentgen per hour.

(42) "External dose" means that portion of the dose equivalent received from any source of radiation outside the body.

(43) "Extremity" means hand, elbow, arm below the elbow, foot, knee, and leg below the knee.

(44) "Eye dose equivalent" means the external dose equivalent to the lens of the eye at a tissue depth of 0.3 centimeter (300 mg/cm²).

(45) "Former United States Atomic Energy Commission (AEC) or United States Nuclear Regulatory Commission (NRC) licensed facilities" means nuclear reactors, nuclear fuel reprocessing plants, uranium enrichment plants, or critical mass experimental facilities where AEC or NRC licenses have been terminated.

(46) "Generally applicable environmental radiation standards" means standards issued by the United States Environmental Protection Agency (EPA) under the authority of the Atomic Energy Act of 1954, as amended, that impose limits on radiation exposures or levels, or concentrations or quantities of radioactive material, in the general environment outside the boundaries of locations under the control of persons possessing or using radioactive material.

(47) "Gray" (Gy) means the SI unit of absorbed dose. One gray is equal to an absorbed dose of 1 joule/kilogram (100 rad).

(48) "Healing arts" means the disciplines of medicine, dentistry, osteopathy, chiropractic, podiatry, and veterinary medicine.

(49) "High radiation area" means any area, accessible to individuals, in which radiation levels could result in an individual receiving a dose equivalent in excess of 1 mSv (0.1 rem) in one hour at 30 centimeters from any source of radiation or from any surface that the radiation penetrates. For purposes of these regulations, rooms or areas in which diagnostic x-ray systems are used for healing arts purposes are not considered high radiation areas.

(50) "Highway route controlled quantity" means a quantity of radioactive material in a single package which exceeds:

- (a) 3,000 times the A₁ or A₂ quantity as appropriate; or
- (b) 30,000 curies, whichever is less.

(51) "Human use" means the intentional internal or external administration of radiation or radioactive material to human beings.

(52) "Immediate" or "immediately" means as soon as possible but no later than four hours after the initiating condition.

(53) "IND" means investigatory new drug for which an exemption has been claimed under the United States Food, Drug and Cosmetic Act (Title ~~(40)~~ 21 CFR).

(54) "Individual" means any human being.

(55) "Individual monitoring" means the assessment of:

- (a) Dose equivalent (i) by the use of individual monitoring devices or (ii) by the use of survey data; or
- (b) Committed effective dose equivalent (i) by bioassay or (ii) by determination of the time-weighted air concentrations to which an individual has been exposed, that is, DAC-hours.

(56) "Individual monitoring devices" means devices designed to be worn by a single individual for the assessment of dose equivalent. For purposes of these regulations, individual monitoring equipment, personnel monitoring

device, personnel dosimeter, and dosimeter are equivalent terms. Examples of individual monitoring devices are film badges, thermoluminescent dosimeters (TLDs), pocket ionization chambers, and personal air sampling devices.

(57) "Inspection" means an official examination or observation by the department including but not limited to, tests, surveys, and monitoring to determine compliance with rules, regulations, orders, requirements and conditions of the department.

(58) "Interlock" means a device arranged or connected such that the occurrence of an event or condition is required before a second event or condition can occur or continue to occur.

(59) "Internal dose" means that portion of the dose equivalent received from radioactive material taken into the body.

(60) "Irretrievable source" means any sealed source containing licensed material which is pulled off or not connected to the wireline downhole and for which all reasonable effort at recovery, as determined by the department, has been expended.

(61) "License" means a license issued by the department in accordance with the regulations adopted by the department.

(62) "Licensed material" means radioactive material received, possessed, used, transferred, or disposed under a general or specific license issued by the department.

(63) "Licensee" means any person who is licensed by the department in accordance with these regulations and the act.

(64) "Licensing state" means any state with regulations equivalent to the suggested state regulations for control of radiation relating to, and an effective program for, the regulatory control of NARM and which has been granted final designation by the Conference of Radiation Control Program Directors, Inc.

(65) "Lost or missing licensed material" means licensed material whose location is unknown. This definition includes licensed material that has been shipped but has not reached its planned destination and whose location cannot be readily traced in the transportation system.

(66) "Major processor" means a user processing, handling, or manufacturing radioactive material exceeding Type A quantities as unsealed sources or material, or exceeding four times Type B quantities as sealed sources, but does not include nuclear medicine programs, universities, industrial radiographers, or small industrial programs. Type A and B quantities are defined in Section 71.4 of 10 CFR Part 71.

(67) "Member of the public" means an individual (~~who does not meet the definition of a worker as defined in this subsection. A worker is considered a member of the public when not engaged in work for his or her employer~~) except when the individual is receiving an occupational dose.

(68) "Minor" means an individual less than eighteen years of age.

(69) "Monitoring" means the measurement of radiation, radioactive material concentrations, surface area activities or quantities of radioactive material and the use of the results of these measurements to evaluate potential exposures and doses. For purposes of these regulations, radiation monitoring and radiation protection monitoring are equivalent terms.

(70) "NARM" means any naturally occurring or accelerator-produced radioactive material. It does not include by-product, source, or special nuclear material. For the purpose of meeting the definition of a Licensing State by the Conference of Radiation Control Program Directors, Inc. (CRCPD), NARM refers only to discrete sources of (~~(NARM)~~) NARM. Diffuse sources of NARM are excluded from consideration by the CRCPD for Licensing State designation purposes.

(71) "Natural radioactivity" means radioactivity of naturally occurring nuclides.

(72) "NDA" means a new drug application which has been submitted to the United States Food and Drug Administration.

(73) "Nonstochastic effect" means a health effect, the severity of which varies with the dose and for which a threshold is believed to exist. Radiation-induced cataract formation is an example of a nonstochastic effect. For purposes of these regulations, a "deterministic effect" is an equivalent term.

(74) "Normal form radioactive material" means radioactive material which has not been demonstrated to qualify as "special form radioactive material."

(75) "Nuclear Regulatory Commission" (NRC) means the United States Nuclear Regulatory Commission or its duly authorized representatives.

(76) "Nuclear waste" as used in WAC 246-232-090(5) means any quantity of source or byproduct material, (not including radiography sources being returned to the manufacturer) required to be in Type B packaging while transported to, through, or across state boundaries to a disposal site, or to a collection point for transport to a disposal site. Nuclear waste, as used in these regulations, is a special classification of radioactive waste.

(77) "Occupational dose" means the dose received by (~~(a worker)~~) an individual in the course of employment (~~(from))~~ in which the individual's assigned duties involve exposure to sources of radiation, whether in the possession of the licensee, registrant, or other person. Occupational dose does not include dose received: From background radiation, as a patient from medical practices, from voluntary participation in medical research programs, or as a member of the public.

(78) "Ore refineries" means all processors of a radioactive material ore.

(79) "Package" means the packaging together with its radioactive contents as presented for transport.

(80) "Particle accelerator" means any machine capable of accelerating electrons, protons, deuterons, or other charged particles in a vacuum and of discharging the resultant particulate or other radiation into a medium at energies usually in excess of 1 MeV.

(81) "Permittee" means a person who has applied for, and received, a valid site use permit for use of the low-level waste disposal facility at Hanford, Washington.

(82) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, any other state or political subdivision or agency thereof, and any legal successor, representative, agent or agency of the foregoing, but shall not include federal government agencies.

(83) "Personal supervision" means supervision such that the supervisor is physically present at the facility and in such

proximity that contact can be maintained and immediate assistance given as required.

(84) "Personnel monitoring equipment." See individual monitoring devices.

(85) "Pharmacist" means an individual licensed by this state to compound and dispense drugs, and poisons.

(86) "Physician" means an individual licensed by this state to prescribe and dispense drugs in the practice of medicine.

(87) "Planned special exposure" means an infrequent exposure to radiation, separate from and in addition to the annual occupational dose limits.

(88) "Practitioner" means an individual licensed by the state in the practice of a healing art (i.e., physician, dentist, podiatrist, chiropractor, etc.).

(89) "Public dose" means the dose received by a member of the public from exposure to sources of radiation under the licensee's or registrant's control or to radioactive material released by the licensee. It does not include occupational dose, dose received from background radiation, dose received as a patient from medical practices, or dose received from voluntary participation in medical research programs.

(90) "Qualified expert" means an individual who has demonstrated to the satisfaction of the department he/she has the knowledge, training, and experience to measure ionizing radiation, to evaluate safety techniques, and to advise regarding radiation protection needs. The department reserves the right to recognize the qualifications of an individual in specific areas of radiation protection.

(91) "Quality factor" (Q) means the modifying factor, listed in Tables I and II, that is used to derive dose equivalent from absorbed dose.

TABLE I

QUALITY FACTORS AND ABSORBED DOSE EQUIVALENCIES

TYPE OF RADIATION	Quality Factor (Q)	Absorbed Dose Equal to A Unit Dose Equivalent ^a
X, gamma, or beta radiation and high-speed electrons	1	1
Alpha particles, multiple-charged particles, fission fragments and heavy particles of unknown charge	20	0.05
Neutrons of unknown energy	10	0.1
High-energy protons	10	0.1

^a Absorbed dose in rad equal to 1 rem or the absorbed dose in gray equal to 1 Sv.

If it is more convenient to measure the neutron fluence rate rather than to determine the neutron dose equivalent rate in sievert per hour or rem per hour as required for Table I, then 0.01 Sv (1 rem) of neutron radiation of unknown energies may, for purposes of these regulations, be assumed to result from a total fluence of 25 million neutrons per square centimeter incident upon the body. If sufficient information exists to estimate the approximate energy distribution of the neutrons, the licensee or registrant may use the fluence rate

PERMANENT

per unit dose equivalent or the appropriate Q value from Table II to convert a measured tissue dose in gray or rad to dose equivalent in sievert or rem.

TABLE II
MEAN QUALITY FACTORS, Q, AND FLUENCE PER UNIT DOSE EQUIVALENT FOR MONOENERGETIC NEUTRONS

Neutron Energy (MeV)	Quality Factor ^a (Q)	Fluence per Unit Dose Equivalent ^b (neutrons cm ⁻² rem ⁻¹)	Fluence per Unit Dose Equivalent ^b (neutrons cm ⁻² Sv ⁻¹)
(thermal) 2.5 x 10 ⁻⁸	2	980 x 10 ⁶	980 x 10 ⁸
1 x 10 ⁻⁷	2	980 x 10 ⁶	980 x 10 ⁸
1 x 10 ⁻⁶	2	810 x 10 ⁶	810 x 10 ⁸
1 x 10 ⁻⁵	2	810 x 10 ⁶	810 x 10 ⁸
1 x 10 ⁻⁴	2	840 x 10 ⁶	840 x 10 ⁸
1 x 10 ⁻³	2	980 x 10 ⁶	980 x 10 ⁸
1 x 10 ⁻²	2.5	1010 x 10 ⁶	1010 x 10 ⁸
1 x 10 ⁻¹	7.5	170 x 10 ⁶	170 x 10 ⁸
5 x 10 ⁻¹	11	39 x 10 ⁶	39 x 10 ⁸
1	11	27 x 10 ⁶	27 x 10 ⁸
2.5	9	29 x 10 ⁶	29 x 10 ⁸
5	8	23 x 10 ⁶	23 x 10 ⁸
7	7	24 x 10 ⁶	24 x 10 ⁸
10	6.5	24 x 10 ⁶	24 x 10 ⁸
14	7.5	17 x 10 ⁶	17 x 10 ⁸
20	8	16 x 10 ⁶	16 x 10 ⁸
40	7	14 x 10 ⁶	14 x 10 ⁸
60	5.5	16 x 10 ⁶	16 x 10 ⁸
1 x 10 ²	4	20 x 10 ⁶	20 x 10 ⁸
2 x 10 ²	3.5	19 x 10 ⁶	19 x 10 ⁸
3 x 10 ²	3.5	16 x 10 ⁶	16 x 10 ⁸
4 x 10 ²	3.5	14 x 10 ⁶	14 x 10 ⁸

^a Value of quality factor (Q) at the point where the dose equivalent is maximum in a 30-cm diameter cylinder tissue-equivalent phantom.

^b Monoenergetic neutrons incident normally on a 30-cm diameter cylinder tissue-equivalent phantom.

(92) "Quarter" means a period of time equal to one-fourth of the year observed by the licensee, approximately thirteen consecutive weeks, providing that the beginning of the first quarter in a year coincides with the starting date of the year and that no day is omitted or duplicated in consecutive quarters.

(93) "Rad" means the special unit of absorbed dose. One rad equals one-hundredth of a joule per kilogram of material; for example, if tissue is the material of interest, then 1 rad equals 100 ergs per gram of tissue. One rad is equal to an absorbed dose of 100 erg/gram or 0.01 joule/kilogram (0.01 gray).

(94) "Radiation" means alpha particles, beta particles, gamma rays, x-rays, neutrons, high-speed electrons, high-speed protons, and other particles capable of producing ions. For purposes of these regulations, ionizing radiation is an equivalent term. Radiation, as used in these regulations,

does not include magnetic fields or nonionizing radiation, such as radiowaves or microwaves, visible, infrared, or ultraviolet light.

(95) "Radiation area" means any area, accessible to individuals, in which radiation levels could result in an individual receiving a dose equivalent in excess of 0.05 mSv (0.005 rem) in one hour at thirty centimeters from the source of radiation or from any surface that the radiation penetrates.

(96) "Radiation machine" means any device capable of producing ionizing radiation except those devices with radioactive materials as the only source of radiation.

(97) "Radiation safety officer" means an individual who has the knowledge and responsibility to apply appropriate radiation protection regulations and has been assigned such responsibility by the licensee or registrant.

(98) "Radiation source." See "Source of radiation."

(99) "Radioactive material" means any material (solid, liquid, or gas) which emits radiation spontaneously.

(100) "Radioactive waste" means any radioactive material which is no longer of use and intended for disposal or treatment for the purposes of disposal.

PERMANENT

(101) "Radioactivity" means the transformation of unstable atomic nuclei by the emission of radiation.

(102) "Reference man" means a hypothetical aggregation of human physical and physiological characteristics determined by international consensus. These characteristics may be used by researchers and public health workers to standardize results of experiments and to relate biological insult to a common base.

(103) "Registrable item" means any radiation machine except those exempted by RCW 70.98.180 or exempted by the department pursuant to the authority of RCW 70.98.080.

(104) "Registrant" means any person who is registered by the department or is legally obligated to register with the department in accordance with these regulations and the act.

(105) "Registration" means registration with the department in accordance with the regulations adopted by the department.

(106) "Regulations of the United States Department of Transportation" means the regulations in 49 CFR Parts 170-189, 14 CFR Part 103, and 46 CFR Part 146.

(107) "Rem" means the special unit of any of the quantities expressed as dose equivalent. The dose equivalent in rem is equal to the absorbed dose in rad multiplied by the quality factor (1 rem = 0.01 Sv).

(108) "Research and development" means: (a) Theoretical analysis, exploration, or experimentation; or (b) the extension of investigative findings and theories of a scientific or technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials, and processes. Research and development does not include the internal or external administration of radiation or radioactive material to human beings.

(109) "Respiratory protective equipment" means an apparatus, such as a respirator, used to reduce an individual's intake of airborne radioactive materials.

(110) "Restricted area" means any area to which access is limited by the licensee or registrant for purposes of protecting individuals against undue risks from exposure to radiation and radioactive material. "Restricted area" shall not include any areas used for residential quarters, although a separate room or rooms in a residential building may be set apart as a restricted area.

(111) "Roentgen" (R) means the special unit of exposure. One roentgen equals 2.58×10^{-4} coulombs/kilogram of air.

(112) "Sanitary sewerage" means a system of public sewers for carrying off waste water and refuse, but excluding sewage treatment facilities, septic tanks, and leach fields owned or operated by the licensee or registrant.

(113) "Sealed source" means any device containing radioactive material to be used as a source of radiation which has been constructed in such a manner as to prevent the escape of any radioactive material.

(114) "Shallow dose equivalent" (H_s), which applies to the external exposure of the skin or an extremity, means the dose equivalent at a tissue depth of 0.007 centimeter (7 mg/cm²) averaged over an area of 1 square centimeter.

(115) "SI" means an abbreviation of the International System of Units.

(116) "Sievert" means the SI unit of any of the quantities expressed as dose equivalent. The dose equivalent in

sievert is equal to the absorbed dose in gray multiplied by the quality factor (1 Sv = 100 rem).

(117) "Site area emergency" means events may occur, are in progress, or have occurred that could lead to a significant release of radioactive material and that could require a response by offsite response organizations to protect persons offsite.

(118) "Site boundary" means that line beyond which the land or property is not owned, leased, or otherwise controlled by the licensee or registrant.

~~((118))~~ (119) "Source container" means a device in which radioactive material is transported or stored.

~~((119))~~ (120) "Source material" means: (a) Uranium or thorium, or any combination thereof, in any physical or chemical form, or (b) ores which contain by weight one-twentieth of one percent (0.05 percent) or more of (i) uranium, (ii) thorium, or (iii) any combination thereof. Source material does not include special nuclear material.

~~((120))~~ (121) "Source material milling" means the extraction or concentration of uranium or thorium from any ore processing primarily for its source material content.

~~((121))~~ (122) "Source of radiation" means any radioactive material, or any device or equipment emitting or capable of producing ionizing radiation.

~~((122))~~ (123) "Special form radioactive material" means radioactive material which satisfies the following conditions:

(a) It is either a single solid piece or is contained in a sealed capsule that can only be opened by destroying the capsule;

(b) The piece or capsule has at least one dimension not less than five millimeters (0.197 inch); and

(c) It satisfies the test requirements specified by the United States Nuclear Regulatory Commission. A special form encapsulation designed in accordance with the United States Nuclear Regulatory Commission requirements in effect on June 30, 1983, and constructed prior to July 1, 1985, may continue to be used. A special form encapsulation either designed or constructed after June 30, 1985, must meet requirements of this definition applicable at the time of its design or construction.

~~((123))~~ (124) "Special nuclear material" means:

(a) Plutonium, uranium-233, uranium enriched in the isotope 233 or in the isotope 235, and any other material that the United States Nuclear Regulatory Commission, pursuant to the provisions of section 51 of the Atomic Energy Act of 1954, as amended, determines to be special nuclear material, but does not include source material; or

(b) Any material artificially enriched in any of the foregoing, but does not include source material.

~~((124))~~ (125) "Special nuclear material in quantities not sufficient to form a critical mass" means uranium enriched in the isotope U-235 in quantities not exceeding three hundred fifty grams of contained U-235; Uranium-233 in quantities not exceeding two hundred grams; Plutonium in quantities not exceeding two hundred grams; or any combination of them in accordance with the following formula: For each kind of special nuclear material, determine the ratio between the quantity of that special nuclear material and the quantity specified above for the same kind of special nuclear material. The sum of such ratios for all of the kinds of special nuclear material in combination shall not exceed "1"

(i.e., unity). For example, the following quantities in combination would not exceed the limitation and are within the formula:

$$\frac{175(\text{grams contained U-235})}{350} + \frac{50(\text{grams U-233})}{200} + \frac{50(\text{grams Pu})}{200} < 1$$

~~((125) "State" as used in WAC 246-232-090(5) means the several states of the union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.))~~

(126) "Stochastic effect" means a health effect that occurs randomly and for which the probability of the effect occurring, rather than its severity, is assumed to be a linear function of dose without threshold. Hereditary effects and cancer incidence are examples of stochastic effects. For purposes of these regulations, probabilistic effect is an equivalent term.

(127) "Survey" means an evaluation of the radiological conditions and potential hazards incident to the production, use, release, disposal, or presence of sources of radiation. When appropriate, such evaluation includes, but is not limited to, tests, physical examinations, calculations and measurements of levels of radiation or concentration of radioactive material present.

(128) "Test" means (a) the process of verifying compliance with an applicable regulation, or (b) a method for determining the characteristics or condition of sources of radiation or components thereof.

(129) "These regulations" mean all parts of the rules for radiation protection of the state of Washington.

(130) "Total effective dose equivalent" (TEDE) means the sum of the deep dose equivalent for external exposures and the committed effective dose equivalent for internal exposures.

(131) "Total organ dose equivalent (TODE)" means the sum of the deep dose equivalent and the committed dose equivalent to the organ or tissue receiving the highest dose.

(132) "Type A packaging" means packaging designed in accordance with 49 CFR 173.411 and 173.412 to retain its integral containment and shielding under normal conditions of transport as demonstrated by tests described in 49 CFR 173.465 or 173.466 as appropriate. The contents are limited to A₁ or A₂ quantities. The package does not require competent authority approval.

(133) "Type A quantity" means a quantity of radioactive material less than or equal to the A₁ or A₂ value for a single radionuclide, or for which the sum of the fractions does not exceed unity for a mixture of radionuclides.

(134) "Type B packaging" means packaging approved by the United States Nuclear Regulatory Commission for the transport of quantities of radioactivity in excess of A₁ or A₂. It is defined in detail in 10 CFR 71.4.

(135) "Type B quantity" means a quantity of radioactive material in excess of a Type A quantity. It requires Type B packaging for transportation.

(136) "United States Department of Energy" means the Department of Energy established by Public Law 95-91, August 4, 1977, 91 Stat. 565, 42 U.S.C. 7101 et seq., to the extent that the department exercises functions formerly vested in the United States Atomic Energy Commission, its chairman, members, officers and components and transferred to the United States Energy Research and Development Administration and to the administrator thereof pursuant to sections 104 (b), (c) and (d) of the Energy Reorganization Act of 1974 (Public Law 93-438, October 11, 1974, 88 Stat. 1233 at 1237, 42 U.S.C. 5814 effective January 19, 1975) and retransferred to the Secretary of Energy pursuant to section 301(a) of the Department of Energy Organization Act (Public Law 95-91, August 4, 1977, 91 Stat. 565 at 577-578, 42 U.S.C. 7151, effective October 1, 1977).

(137) "Unrefined and unprocessed ore" means ore in its natural form prior to any processing, such as grinding, roasting, beneficiating, or refining.

(138) "Unrestricted area" (uncontrolled area) means any area which is not a restricted area (~~and~~). Areas where the external dose (~~will not~~) exceeds 2 mrem in any one hour (~~In addition,~~) or where the public dose, taking into account occupancy factors, will (~~not~~) exceed 100 mrem total effective dose equivalent in any one year must be restricted.

(139) "Very high radiation area" means an area, accessible to individuals, in which radiation levels could result in an individual receiving an absorbed dose in excess of 5 Gy (500 rad) in one hour at one meter from a source of radiation or from any surface that the radiation penetrates.

(140) "Waste handling licensees" mean persons licensed to receive and store radioactive wastes prior to disposal and/or persons licensed to dispose of radioactive waste.

(141) "Week" means seven consecutive days starting on Sunday.

(142) "Weighting factor" w_T for an organ or tissue (T) means the proportion of the risk of stochastic effects resulting from irradiation of that organ or tissue to the total risk of stochastic effects when the whole body is irradiated uniformly. For calculating the effective dose equivalent, the values of w_T are:

ORGAN DOSE WEIGHTING FACTORS

Organ or Tissue	w _T
Gonads	0.25
Breast	0.15
Red bone marrow	0.12
Lung	0.12
Thyroid	0.03
Bone surfaces	0.03
Remainder	0.30 ^a
Whole Body	1.00 ^b

^a 0.30 results from 0.06 for each of 5 "remainder" organs, excluding the skin and the lens of the eye, that receive the highest doses.

^b For the purpose of weighting the external whole body dose, for adding it to the internal dose, a single weighting factor, w_T = 1.0, has been specified. The use of other weighting factors for external exposure will be approved on a case-by-case basis until such time as specific guidance is issued.

PERMANENT

(143) "Whole body" means, for purposes of external exposure, head, trunk including male gonads, arms above the elbow, or legs above the knee.

(144) "Worker" means an individual engaged in ~~((work))~~ activities under a license or registration issued by the department and controlled by a licensee or registrant but does not include the licensee or registrant. Where the licensee or registrant is an individual rather than one of the other legal entities defined under "person," the radiation exposure limits for the worker also apply to the individual who is the licensee or registrant. If students of age eighteen years or older are subjected routinely to work involving radiation, then the students are considered to be ~~((occupational))~~ workers. Individuals of less than eighteen years of age shall meet the requirements of WAC 246-221-050.

(145) "Working level" (WL) means any combination of short-lived radon daughters in 1 liter of air that will result in the ultimate emission of 1.3×10^5 MeV of potential alpha particle energy. The short-lived radon daughters are — for radon-222: polonium-218, lead-214, bismuth-214, and polonium-214; and for radon-220: polonium-216, lead-212, bismuth-212, and polonium-212.

(146) "Working level month" (WLM) means an exposure to one working level for one hundred seventy hours — two thousand working hours per year divided by twelve months per year is approximately equal to one hundred seventy hours per month.

(147) "Year" means the period of time beginning in January used to determine compliance with the provisions of these regulations. The licensee or registrant may change the starting date of the year used to determine compliance by the licensee or registrant provided that the change is made at the beginning of the year and that no day is omitted or duplicated in consecutive years.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-220-110 Appendix A—Determination of A_1 and A_2 values. I. Single radionuclides.

(1) For a single radionuclide of known identity, the values of A_1 and A_2 are taken from Table A-1 if listed there. The values A_1 and A_2 in Table A-1 are also applicable for radionuclides contained in (α , n) or (γ , n) neutron sources.

(2) For any single radionuclide whose identity is known but which is not listed in Table A-1, the values of A_1 and A_2 are determined according to the following procedure:

(a) If the radionuclide emits only one type of radiation, A_1 is determined according to the rules in paragraphs (i), (ii), (iii) and (iv) of this paragraph. For radionuclides emitting different kinds of radiation, A_1 is the most restrictive value of those determined for each kind of radiation. However, in both cases, A_1 is restricted to a maximum of 37 TBq (1000 Ci). If a parent nuclide decays into a shorter lived daughter with a half-life not greater than 10 days, A_1 is calculated for both the parent and the daughter, and the more limiting of the two values is assigned to the parent nuclide.

(i) For gamma emitters, A_1 is determined by the expression:

$$A_1 = \frac{9}{\text{GRC}} \text{ curies}$$

where GRC is the gamma-ray constant, corresponding to the dose in R/h at 1 m per Ci; the number 9 results from the choice of 1 rem/h at a distance of 3 m as the reference dose-equivalent rate.

(ii) For X-ray emitters, A_1 is determined by the atomic number of the nuclide:

for $Z < 55$ $A_1 = 37 \text{ TBq (1000 Ci)}$

for $Z > 55$ $A_1 = 7.4 \text{ TBq (200 Ci)}$

where Z is the atomic number of the nuclide.

(iii) For beta emitters, A_1 is determined by the maximum beta energy (E_{max}) according to Table A-2;

(iv) For alpha emitters, A_1 is determined by the expression:

$A_1 = 1000 A_3$

where A_3 is the value listed in Table A-3;

(b) A_2 is the more restrictive of the following two values:

(i) The corresponding A_1 ; and

(ii) The value A_3 obtained from Table A-3.

(3) For any single radionuclide whose identity is unknown, the value of A_1 is taken to be ~~((two))~~ 74 GBq (2 Ci) and the value of ~~((A_2))~~ A_2 is taken to be 74 MBq (0.002 Ci). However, if the atomic number of the radionuclide is known to be less than 82, the value of A_1 is taken to be 370 GBq (10 Ci) and the value of A_2 is taken to be 14.8 GBq (0.4 Ci).

II. Mixtures of radionuclides, including radioactive decay chains.

(1) For mixed fission products the following activity limits may be assumed if a detailed analysis of the mixture is not carried out:

$A_1 = 370 \text{ GBq (10 Ci)}$

$A_2 = 14.8 \text{ GBq (0.4 Ci)}$

(2) A single radioactive decay chain is considered to be a single radionuclide when the radionuclides are present in their naturally occurring proportions and no daughter nuclide has a half-life either longer than 10 days or longer than that of the parent nuclide. The activity to be taken into account and the A_1 or A_2 value from Table A-1 to be applied are those corresponding to the parent nuclide of that chain. When calculating A_1 or A_2 values, radiation emitted by daughters must be considered. However, in the case of radioactive decay chains in which any daughter nuclide has a half-life either longer than 10 days or greater than that of the parent nuclide, the parent and daughter nuclides are considered to be mixtures of different nuclides.

(3) In the case of a mixture of different radionuclides, where the identity and activity of each radionuclide are known, the permissible activity of each radionuclide R_1, R_2, \dots, R_n is such that $F_1 + F_2 + \dots + F_n$ is not greater than unity, where

$$F_1 = \frac{\text{Total activity of } R_1}{A_1(R_1)}$$

$$F_2 = \frac{\text{Total activity of } R_2}{A_1(R_2)}$$

$$F_n = \frac{\text{Total activity of } R_n}{A_1(R_n)}$$

$A_1(R_1, R_2, \dots, R_n)$ is the value of A_1 or A_2 as appropriate for the nuclide R_1, R_2, R_n .

(4) When the identity of each radionuclide is known but the individual activities of some of the radionuclides are not known, the formula given in paragraph (3) is applied to establish the values of A_1 or A_2 as appropriate. All the radionuclides whose individual activities are not known

(their total activity will, however, be known) are classed in a single group and the most restrictive value of A_1 and A_2 applicable to any one of them is used as the value of A_1 or A_2 in the denominator of the fraction.

(5) Where the identity of each radionuclide is known but the individual activity of none of the radionuclides is known, the most restrictive value of A_1 or A_2 applicable to any one of the radionuclides present is adopted as the applicable value.

(6) When the identity of none of the nuclides is known, the value of A_1 is taken to be ~~((two))~~ 74 GBq (2 Ci) and the value of A_2 is taken to be 74 MBq (0.002 Ci). However, if alpha emitters are known to be absent, the value of A_2 is taken to be 14.8 GBq (0.4 Ci).

TABLE A-1.— A_1 AND A_2 VALUES FOR RADIONUCLIDES

(See footnotes at end of table)

Symbol of radionuclide	Element and atomic number	A_1 (Ci)	A_2 (Ci)	Specific activity (Ci/g)
$^{227}_{Ac}$	Actinium (89)	1000	0.003	7.2×10^4
$^{228}_{Ac}$		10	4	2.2×10^6
$^{105}_{Ag}$	Silver (47)	40	40	3.1×10^4
$^{110m}_{Ag}$		7	7	4.7×10^3
$^{111}_{Ag}$		100	20	1.6×10^5
$^{241}_{Am}$	Americium (95)	8	0.008	3.2
$^{243}_{Am}$		8	0.008	1.9×10^{-1}
$^{37}_{Ar}$ (compressed or uncompressed)*	Argon (18)	1000	1000	1.0×10^5
$^{41}_{Ar}$ (uncompressed)*		20	20	4.3×10^7
$^{41}_{Ar}$ (compressed)*		1	1	4.3×10^7
$^{73}_{As}$	Arsenic (33)	1000	400	2.4×10^4
$^{74}_{As}$		20	20	1.0×10^5
$^{76}_{As}$		10	10	1.6×10^6
$^{77}_{As}$		300	20	1.1×10^6
$^{211}_{At}$	Astatine (85)	200	7	2.1×10^6
$^{193}_{Au}$	Gold (79)	200	200	9.3×10^5
$^{196}_{Au}$		30	30	1.2×10^5
$^{198}_{Au}$		40	20	2.5×10^5
$^{199}_{Au}$		200	25	2.1×10^5
$^{131}_{Ba}$	Barium (56)	40	40	8.7×10^4
$^{133}_{Ba}$		40	10	4.0×10^2
$^{140}_{Ba}$		20	20	7.3×10^4
$^7_{Be}$	Beryllium (4)	300	300	3.5×10^5
$^{206}_{Bi}$	Bismuth (83)	5	5	9.9×10^4
$^{207}_{Bi}$		10	10	2.2×10^2
$^{210}_{Bi}$ (RaE)		100	4	1.2×10^5
$^{212}_{Bi}$		6	6	1.5×10^7
$^{249}_{Bk}$	Berkelium (97)	1000	1	1.8×10^3
$^{77}_{Br}$	Bromine (35)	70	25	7.1×10^5
$^{82}_{Br}$		6	6	1.1×10^6
$^{11}_{C}$	Carbon (6)	20	20	8.4×10^8
$^{14}_{C}$		1000	60	4.6
$^{45}_{Ca}$	Calcium (20)	1000	25	1.9×10^4
$^{47}_{Ca}$		20	20	5.9×10^5
$^{109}_{Cd}$	Cadmium (48)	1000	70	2.6×10^3
$^{115m}_{Cd}$		30	30	2.6×10^4
$^{115}_{Cd}$		80	20	5.1×10^5
$^{139}_{Ce}$	Cerium (58)	100	100	6.5×10^3
$^{141}_{Ce}$		300	25	2.8×10^4
$^{143}_{Ce}$		60	20	6.6×10^5

PERMANENT

144 _{Ce}		10	7	3.2X10 ³
249 _{Cf}	Californium (98)	2	0.002	3.1
250 _{Cf}		7	0.007	1.3X10 ²
252 _{Cf}		2	0.009	6.5X10 ²
36 _{Cl}	Chlorine (17)	300	10	3.2X10 ⁻²
38 _{Cl}		10	10	1.3X10 ⁸
242 _{Cm}	Curium (96)	200	0.2	3.3X10 ³
243 _{Cm}		9	0.009	4.2X10
244 _{Cm}		10	0.01	8.2X10
245 _{Cm}		6	0.006	1.0X10 ⁻¹
246 _{Cm}		6	0.006	3.6X10 ⁻¹
56 _{Co}	Cobalt (27)	5	5	3.0X10 ⁴
57 _{Co}		90	90	8.5X10 ³
58 _{mCo}		1000	1000	5.9X10 ⁶
58 _{Co}		20	20	3.1X10 ⁴
60 _{Co}		7	7	1.1X10 ³
51 _{Cr}	Chromium (24)	600	600	9.2X10 ⁴
129 _{Cs}	Cesium (55)	40	40	7.6X10 ⁵
131 _{Cs}		1000	1000	1.0X10 ⁵
134 _{mCs}		1000	10	7.4X10 ⁶
134 _{Cs}		10	10	1.2X10 ³
135 _{Cs}		1000	25	8.8X10 ⁻⁴
136 _{Cs}		7	7	7.4X10 ⁴
137 _{Cs}		30	10	9.8X10
64 _{Cu}	Copper (29)	80	25	3.8X10 ⁶
67 _{Cu}		200	25	7.9X10 ⁵
165 _{Dy}	Dysprosium (66)	100	20	8.2X10 ⁶
166 _{Dy}		1000	200	2.3X10 ⁵
169 _{Er}	Erbium (68)	1000	25	8.2X10 ⁴
171 _{Er}		50	20	2.4X10 ⁶
152 _{mEu}	Europium (63)	30	30	2.2X10 ⁶
152 _{Eu}		20	10	1.9X10 ²
154 _{Eu}		10	5	1.5X10 ²
155 _{Eu}		400	60	1.4X10 ³
18 _F	Fluorine (9)	20	20	9.3X10 ⁷
52 _{Fe}	Iron (26)	5	5	7.3X10 ⁶
55 _{Fe}		1000	1000	2.2X10 ³
59 _{Fe}		10	10	4.9X10 ⁴
67 _{Ga}	Gallium (31)	100	100	6.0X10 ⁵
68 _{Ga}		20	20	4.0X10 ⁷
72 _{Ga}		7	7	3.1X10 ⁶
153 _{Gd}	Gadolinium (64)	200	100	3.6X10 ³
159 _{Gd}		300	20	1.1X10 ⁶
68 _{Ge}	Germanium (32)	20	10	7.0X10 ³
71 _{Ge}		1000	1000	1.6X10 ⁵
3 _H	Hydrogen (1) see T-Tritium			
181 _{Hf}	Hafnium (72)	30	25	1.6X10 ⁴
197 _{mHg}	Mercury (80)	200	200	6.6X10 ⁵
197 _{Hg}		200	200	2.5X10 ⁵
203 _{Hg}		80	25	1.4X10 ⁴
160 _{Ho}	Holmium (67)	30	30	6.9X10 ⁵
123 _I	Iodine(53)	50	50	1.9X10 ⁶
125 _I		1000	70	1.7X10 ⁴
126 _I		40	10	7.8X10 ⁴
129 _I		1000	2	1.6X10 ⁻⁴
131 _I		40	10	1.2X10 ⁵
132 _I		7	7	1.1X10 ⁷
133 _I		30	10	1.1X10 ⁶
134 _I		8	8	2.7X10 ⁷
135 _I		10	10	3.5X10 ⁶
111 _{In}	Indium (49)	30	25	4.2X10 ⁵
113 _{mIn}		60	60	1.6X10 ⁷

PERMANENT

114m _{In}		30	20	2.3X10 ⁴
115m _{In}		100	20	6.1X10 ⁶
190 _{Ir}	Iridium (77)	10	10	6.2X10 ⁴
192 _{Ir}		20	10	9.1X10 ³
194 _{Ir}		10	10	8.5X10 ⁵
42 _K	Potassium (19)	10	10	6.0X10 ⁶
43 _K		20	10	3.3X10 ⁶
85m _{Kr} (uncompressed)*	Krypton (36)	100	100	8.4X10 ⁶
85m _{Kr} (compressed)*		3	3	8.4X10 ⁶
85 _{Kr} (uncompressed)*		1000	1000	4.0X10 ²
85 _{Kr} (compressed)*		5	5	4.0X10 ²
87 _{Kr} (uncompressed)*		20	20	2.8X10 ⁷
87 _{Kr} (compressed)*		0.6	0.6	2.8X10 ⁷
140 _{La}	Lanthanum (57)	30	30	5.6X10 ⁵
(C-LSA)	Low specific activity material - see § 71.4)			
177 _{Lu}	Lutetium (71)	300	25	1.1X10 ⁵
MFP	Mixed fission products	10	0.4	
28 _{Mg}	Magnesium (12)	6	6	5.2X10 ⁶
52 _{Mn}	Manganese (25)	5	5	4.4X10 ⁵
54 _{Mn}		20	20	8.3X10 ³
56 _{Mn}		5	5	2.2X10 ⁷
99 _{Mo}	Molybdenum (42)	100	20	4.7X10 ⁵
13 _N	Nitrogen (7)	20	10	1.5X10 ⁹
22 _{Na}	Sodium (11)	8	8	6.3X10 ³
24 _{Na}		5	5	8.7X10 ⁶
93m _{Nb}	Niobium (41)	1000	200	1.1X10 ³
95 _{Nb}		20	20	3.9X10 ⁴
97 _{Nb}		20	20	2.6X10 ⁷
147 _{Nd}	Neodymium (60)	100	20	8.0X10 ⁴
149 _{Nd}		30	20	1.1X10 ⁷
59 _{Ni}	Nickel (28)	1000	900	8.1X10 ⁻²
63 _{Ni}		1000	100	4.6X10
65 _{Ni}		10	10	1.9X10 ⁷
237 _{Np}	Neptunium (93)	5	0.005	6.9X10 ⁻⁴
239 _{Np}		200	25	2.3X10 ⁵
185 _{Os}	Osmium (76)	20	20	7.3X10 ³
191 _{Os}		600	200	4.6X10 ⁴
191m _{Os}		200	200	1.2X10 ⁶
193 _{Os}		100	20	5.3X10 ⁵
32 _P	Phosphorus (15)	30	30	2.9X10 ⁵
230 _{Pa}	Protactinium (91)	20	0.8	3.2X10 ⁴
231 _{Pa}		2	0.002	4.5X10 ⁻²
233 _{Pa}		100	100	2.1X10 ⁴
201 _{Pb}	Lead (82)	20	20	1.7X10 ⁶
210 _{Pb}		100	0.2	8.8X10
212 _{Pb}		6	5	1.4X10 ⁶
103 _{Pd}	Palladium (46)	1000	700	7.5X10 ⁴
109 _{Pd}		100	20	2.1X10 ⁶
147 _{Pm}	Promethium (61)	1000	25	9.4X10 ²
149 _{Pm}		100	20	4.2X10 ⁵
210 _{Po}	Polonium (84)	200	0.2	4.5X10 ³
142 _{Pr}	Praseodymium (59)	10	10	1.2X10 ⁴
143 _{Pr}		300	20	6.6X10 ⁴
191 _{Pt}	Platinum (78)	100	100	2.3X10 ⁵
193m _{Pt}		200	200	2.0X10 ⁵
197m _{Pt}		300	20	1.2X10 ⁷
197 _{Pt}		300	20	8.8X10 ⁵
238 _{Pu}	Plutonium (94)	3	0.003	1.7X10
239 _{Pu}		2	0.002	6.2X10 ⁻²
240 _{Pu}		2	0.002	2.3X10 ⁻¹
241 _{Pu}		1000	0.1	1.1X10 ²
242 _{Pu}		3	0.003	3.9X10 ⁻³

223 _{Ra}	Radium (88)	50	0.2	5.0X10 ⁴
224 _{Ra}		6	0.5	1.6X10 ⁵
226 _{Ra}		10	0.05	1.0
228 _{Ra}		10	0.05	2.3X10 ²
222 _{Rn}	Radon (86)	10	2	1.5X10 ⁵
81 _{Rb}	Rubidium (37)	30	25	8.2X10 ⁶
86 _{Rb}		30	30	8.1X10 ⁴
87 _{Rb}		Unlimited	Unlimited	6.6X10 ⁻⁸
Rb (natural)		Unlimited	Unlimited	1.8X10 ⁻⁵
186 _{Re}	Rhenium (75)	100	20	1.9X10 ⁵
187 _{Re}		Unlimited	Unlimited	3.8X10 ⁻⁸
188 _{Re}		10	10	1.0X10 ⁶
Re (natural)		Unlimited	Unlimited	2.4X10 ⁻⁸
103m _{Rh}	Rhodium (45)	1000	1000	3.2X10 ⁷
105 _{Rh}		200	25	8.2X10 ⁵
97 _{Ru}	Ruthenium (44)	80	80	5.5X10 ⁵
103 _{Ru}		30	25	3.2X10 ⁴
105 _{Ru}		20	20	6.6X10 ⁶
106 _{Ru}		10	7	3.4X10 ³
35 _S	Sulphur (16)	1000	60	4.3X10 ⁴
122 _{Sb}	Antimony (51)	30	30	3.9X10 ⁵
124 _{Sb}		5	5	1.8X10 ⁴
125 _{Sb}		40	25	1.4X10 ³
46 _{Sc}	Scandium (21)	8	8	3.4X10 ⁴
47 _{Sc}		200	20	8.2X10 ⁵
48 _{Sc}		5	5	1.5X10 ⁶
75 _{Se}	Selenium (34)	40	40	1.4X10 ⁴
31 _{Si}	Silicon (14)	100	20	3.9X10 ⁷
147 _{Sm}	Samarium (62)	Unlimited	Unlimited	2.0X10 ⁻⁸
151 _{Sm}		1000	90	2.6X10
153 _{Sm}		300	20	4.4X10 ⁵
113 _{Sn}	Tin (50)	60	60	1.0X10 ⁴
119m _{Sn}		100	100	4.4X10 ³
125 _{Sn}		10	10	1.1X10 ⁵
85m _{Sr}	Strontium (38)	80	80	3.2X10 ⁷
85 _{Sr}		30	30	2.4X10 ⁴
87m _{Sr}		50	50	1.2X10 ⁷
89 _{Sr}		100	10	2.9X10 ⁴
90 _{Sr}		10	0.4	1.5X10 ²
91 _{Sr}		10	10	3.6X10 ⁶
92 _{Sr}		10	10	1.3X10 ⁷
T _T (uncompressed)*	Tritium (1)	1000	1000	9.7X10 ³
T _T (compressed)*		1000	1000	9.7X10 ³
T _T (activated luminous paint)		1000	1000	9.7X10 ³
T _T (absorbed on solid carrier)		1000	1000	9.7X10 ³
T _T (tritiated water)		1000	1000	9.7X10 ³
T _T (other forms)		20	20	9.7X10 ³
182 _{Ta}	Tantalum (73)	20	20	6.2X10 ³
160 _{Tb}	Terbium (65)	20	10	1.1X10 ⁴
96m _{Tc}	Technetium (43)	1000	1000	3.8X10 ⁷
96 _{Tc}		6	6	3.2X10 ⁵
97m _{Tc}		1000	200	1.5X10 ⁴
97 _{Tc}		1000	400	1.4X10 ⁻³
99m _{Tc}		100	100	5.2X10 ⁶
99 _{Tc}		1000	25	1.7X10 ⁻²
125m _{Te}	Tellurium (52)	1000	100	1.8X10 ⁴
127M _{Te}		300	20	4.0X10 ⁴
127 _{Te}		300	20	2.6X10 ⁶
129M _{Te}		30	10	2.5X10 ⁴
129 _{Te}		100	20	2.0X10 ⁷
131m _{Te}		10	10	8.0X10 ⁵
132 _{Te}		7	7	3.1X10 ⁵

PERMANENT

227 _{Th}	Thorium (90)	200	0.2	3.2X10 ⁴
228 _{Th}		6	0.008	8.3X10 ²
230 _{Th}		3	0.003	1.9X10 ⁻²
231 _{Th}		1000	25	5.3X10 ⁵
232 _{Th}		Unlimited	Unlimited	1.1X10 ⁻⁷
234 _{Th}		10	10	2.3X10 ⁴
Th(natural)		Unlimited	Unlimited	2.2X10 ⁻⁷
Th(irradiated)**				
200 _{Tl}	Thallium (81)	20	20	5.8X10 ⁵
201 _{Tl}		200	200	2.2X10 ⁵
202 _{Tl}		40	40	5.4X10 ⁴
204 _{Tl}		300	10	4.3X10 ²
170 _{Tm}	Thulium (69)	300	10	6.0X10 ³
171 _{Tm}		1000	100	1.1X10 ³
230 _U	Uranium (92)	100	0.1	2.7X10 ⁴
232 _U		30	0.03	2.1X10
233 _U		100	0.1	9.5X10 ⁻³
234 _U		100	0.1	6.2X10 ⁻³
235 _U		100	0.2	2.1X10 ⁻⁶
236 _U		200	0.2	6.3X10 ⁻⁵
238 _U		Unlimited	Unlimited	3.3X10 ⁻⁷
U(natural)		Unlimited	Unlimited	(SEE TABLE A-4)
U(enriched) < 20%		Unlimited	Unlimited	(SEE TABLE A-4)
	20% or greater	100	0.1	(SEE TABLE A-4)
U(depleted)		Unlimited	Unlimited	(SEE TABLE A-4)
U(irradiated)***				
48 _V	Vanadium (23)	6	6	1.7X10 ⁵
181 _W	Tungsten (74)	200	100	5.0X10 ³
185 _W		1000	25	9.7X10 ⁻³
187 _W		40	20	7.0X10 ⁵
127 _{Xe} (uncompressed)*	Xenon (54)	70	70	2.8X10 ⁴
127 _{Xe} (compressed)*		5	5	2.8X10 ⁴
131 _{mXe} (compressed)*		10	10	1.0X10 ⁵
131 _{mXe} (uncompressed)*		100	100	1.0X10 ⁵
133 _{Xe} (uncompressed)*		1000	1000	1.9X10 ⁵
133 _{Xe} (compressed)*		5	5	1.9X10 ⁵
135 _{Xe} (uncompressed)*		70	70	2.5X10 ⁵
135 _{Xe} (compressed)*		2	2	2.5X10 ⁵
87 _Y	Yttrium (39)	20	20	4.5X10
90 _Y		10	10	2.5X10 ⁵
91 _{mY}		30	30	4.1X10 ⁷
91 _Y		30	30	2.5X10 ⁴
92 _Y		10	10	9.5X10 ⁶
93 _Y		10	10	3.2X10 ⁶
169 _{Yb}	Ytterbium (70)	80	80	2.3X10 ⁵
175 _{Yb}		400	25	1.8X10 ⁵
65 _{Zn}	Zinc (30)		30	308.0X10 ³
69 _{mZn}		40	20	3.3X10 ⁶
69 _{Zn}		300	20	5.3X10 ⁷
93 _{Zr}	Zirconium (40)	1000	200	3.5X10 ⁻³
95 _{Zr}		20	20	2.1X10 ⁴
97 _{Zr}		20	20	2.0X10 ⁶

*For the purpose for Table A-1, compressed gas means a gas at a pressure which exceeds the ambient atmospheric pressure at the location where the containment system was closed.

**The values of A₁ and A₂ must be calculated in accordance with the procedure specified in Appendix A, paragraph II(3), taking into account the activity of the fission products and of the uranium-233 in addition to that of the thorium.

***The values of A_1 and A_2 must be calculated in accordance with the procedure specified in Appendix A, paragraph II(3), taking into account the activity of the fission products and plutonium isotopes in addition to that of the uranium.

TABLE A-2

RELATIONSHIP BETWEEN A_1 AND E_{max} FOR BETA EMITTERS

E_{max} (MeV)	A_1 (Ci)
< 0.5	1000
0.5 - < 1.0	300
1.0 - < 1.5	100
1.5 - < 2.0	30
≥ 2.0	10

TABLE A-3

RELATIONSHIP BETWEEN A_3 AND THE ATOMIC NUMBER OF THE RADIONUCLIDE

A_3			
Atomic Number	Half-life less than 1000 days	Half-life 1000 days to 10^6 years	Half-life greater than 10^6 years
1 to 81	3 Ci	.05 Ci	3 Ci
82 and above	.002 Ci	.002 Ci	3 Ci

TABLE A-4—ACTIVITY-MASS RELATIONSHIPS FOR URANIUM/THORIUM

Thorium and uranium enrichment ¹ wt % ^{235}U present	Specific activity	
	Ci/g	g/Ci
0.45	5.0×10^{-7}	2.0×10^6
0.72 (natural)	7.06×10^{-7}	1.42×10^6
1.0	7.6×10^{-7}	1.3×10^6
1.5	1.0×10^{-6}	1.0×10^6
5.0	2.7×10^{-6}	3.7×10^5
10.0	4.8×10^{-6}	2.1×10^5
20.0	1.0×10^{-5}	1.0×10^5
35.0	2.0×10^{-5}	5.0×10^4
50.0	2.5×10^{-5}	4.0×10^4
90.0	5.8×10^{-5}	1.7×10^4
93.0	7.0×10^{-5}	1.4×10^4
95.0	9.1×10^{-5}	1.1×10^4
Natural Thorium	2.2×10^{-7}	4.6×10^6

¹ The figures for uranium include representative values for the activity of the uranium-234 which is concentrated during the enrichment process. The activity for Thorium includes the equilibrium concentration of Thorium-228.

AMENDATORY SECTION (Amending WSR 94-01-073, filed 12/9/93, effective 1/9/94)

WAC 246-221-250 Notification of incidents. (1) **Immediate notification.** Notwithstanding other requirements for notification, each licensee and/or registrant shall immediately (as soon as possible but no later than four hours after discovery of an incident) notify the State Department of Health, Division of Radiation Protection, P.O. Box 47827, Olympia, Washington 98504-7827, by telephone (206/682-5327) and confirming letter, telegram, mailgram, or facsimile of any incident involving any radiation source which may have caused or threatens to cause:

(a) An individual to receive:

- (i) A total effective dose equivalent of 0.25 Sv (25 rem) or more; or
- (ii) An eye dose equivalent of 0.75 Sv (75 rem) or more; or
- (iii) A shallow dose equivalent to the skin or extremities or a total organ dose equivalent of 2.5 Sv (250 rem) or more; or

(b) The release of radioactive material, inside or outside of a restricted area, so that, had an individual been present for twenty-four hours, the individual could have received an intake five times the occupational ALI. This provision does not apply to locations where personnel are not normally stationed during routine operations, such as hot-cells or process enclosures; or

(c) The loss of ability to take immediate protective actions necessary to avoid exposure to sources of radiation or releases of radioactive material that could exceed regulatory limits. Events which could cause such a loss of ability include fires, explosions, toxic gas releases, etc.

(2) **Twenty-four hour notification.** Each licensee and/or registrant shall within twenty-four hours of discovery of the event, notify the State Department of Health, Division of Radiation Protection, P.O. Box 47827, Olympia, Washington 98504-7827, by telephone (206/682-5327) and confirming letter, telegram, mailgram, or facsimile of any incident involving any radiation source possessed which may have caused or threatens to cause:

(a) An individual to receive, in a period of twenty-four hours:

- (i) A total effective dose equivalent exceeding 0.05 Sv (5 rem); or
- (ii) An eye dose equivalent exceeding 0.15 Sv (15 rem); or
- (iii) A shallow dose equivalent to the skin or extremities or a total organ dose equivalent exceeding 0.5 Sv (50 rem); or

(b) The release of radioactive material, inside or outside of a restricted area, so that, had an individual been present for twenty-four hours, the individual could have received an intake in excess of one occupational ALI. This provision does not apply to locations where personnel are not normally stationed during routine operations, such as hot-cells or process enclosures; or

(c) An unplanned contamination incident that:

(i) Requires access to the contaminated area, by workers or the general public, to be restricted for more than twenty-four hours by imposing additional radiological controls or by prohibiting entry into the area;

(ii) Involves a quantity of material greater than five times the lowest annual limit on intake specified in WAC 246-221-290; and

(iii) Has access to the area restricted for a reason other than to allow radionuclides with a half-life of less than twenty-four hours to decay prior to decontamination; or

(d) Equipment failure or inability to function as designed when:

(i) The equipment is required by regulation or license condition to prevent releases exceeding regulatory limits, to prevent exposures to radiation and radioactive material exceeding regulatory limits or to mitigate the consequences of an accident;

PERMANENT

(ii) The equipment is required to be available and operable at the time it becomes disabled or fails to function; and

(iii) No redundant equipment is available and operable to perform the required safety functions; or

(e) An unplanned medical treatment at a medical facility of an individual with spreadable radioactive contamination on the individual's clothing or body; or

(f) An unplanned fire or explosion damaging any radioactive material or any device, container or equipment containing radioactive material when:

(i) The quantity of radioactive material involved is greater than five times the lowest annual limit on intake specified in WAC 246-221-290; and

(ii) The damage affects the integrity of the radioactive material or its container.

(3) For each occurrence((7)) requiring notification pursuant to this section, a prompt investigation of the situation shall be initiated by the licensee/registrant. A written report of the findings of the investigation shall be sent to the department within thirty days.

(4) The licensee or registrant shall prepare each report filed with the department pursuant to this section so that names of individuals who have received exposure to sources of radiation are stated in a separate and detachable portion of the report.

Any report filed with the department pursuant to this section shall contain the information described in WAC 246-221-260 (2) and (3).

(5) The provisions of this section do not apply to doses that result from planned special exposures, provided such doses are within the limits for planned special exposures and are reported pursuant to WAC 246-221-265.

(6) Telephone notifications that do not involve immediate or twenty-four hour notification shall not be made to the emergency number (Seattle 206/682-5327). Routine calls should be made to the Olympia office (206/753-3468).

(7) Telephone notification required under this section shall include, to the extent that the information is available at the time of notification:

(a) The caller's name and call-back telephone number;

(b) A description of the incident including date and time;

(c) The exact location of the incident;

(d) The radionuclides, quantities, and chemical and physical forms of the radioactive materials involved; and

(e) Any personnel radiation exposure data available.

AMENDATORY SECTION (Amending WSR 94-01-073, filed 12/9/93, effective 1/9/94)

WAC 246-221-260 Reports of overexposures and excessive levels and concentrations. (1) In addition to any notification required by WAC 246-221-250, each licensee or registrant shall submit a written report to the department within thirty days after learning of any of the following occurrences:

(a) Incidents for which notification is required by WAC 246-221-250; or

(b) Doses in excess of any of the following:

(i) The occupational dose limits for adults in WAC 246-221-010; or

(ii) The occupational dose limits for a minor in WAC 246-221-050; or

(iii) The limits for an embryo/fetus of a declared pregnant woman in WAC 246-221-055; or

(iv) The limits for an individual member of the public in WAC 246-221-060; or

(v) Any applicable limit in the license; or

(c) Levels of radiation or concentrations of radioactive material in:

(i) A restricted area in excess of applicable limits in the license; or

(ii) An unrestricted area in excess of ten times the applicable limit set forth in this chapter or in the license or registration, whether or not involving exposure of any individual in excess of the limits in WAC 246-221-060; or

(d) For source materials milling licensees and nuclear power plants subject to the provisions of United States Environmental Protection Agency's generally applicable environmental radiation standards in 40 CFR 190, levels of radiation or releases of radioactive material in excess of those standards, or of license conditions related to those standards.

(2) Each report required by subsection (1) of this section shall describe:

(a) The incident and its exact location, time and date;

(b) The extent of exposure of individuals to radiation or to radioactive material, including estimates of each individual's dose as required by subsection (3) of this section;

~~((b))~~ (c) Levels of radiation and concentrations of radioactive material involved, including the radionuclides, quantities, and chemical and physical form;

~~((e))~~ (d) The cause or probable cause of the exposure, levels of radiation or concentrations;

(e) The manufacturer and model number (if applicable) of any equipment that failed or malfunctioned;

(f) The results of any evaluations or assessments; and

~~((d))~~ (g) Corrective steps taken or planned to assure against a recurrence, including the schedule for achieving conformance with applicable limits, generally applicable environmental standards, and associated license conditions.

(3) Each report filed with the department pursuant to this section shall include for each individual exposed the name, social security number, and date of birth, and an estimate of the individual's dose. With respect to the limit for the embryo/fetus in WAC 246-221-055, the identifiers should be those of the declared pregnant woman. The report shall be prepared so that this information is stated in a separate and detachable part of the report.

(4) Individuals shall be notified of reports in accordance with the requirements of WAC 246-222-040.

NEW SECTION

WAC 246-235-077 Special requirements for emergency planning. (1) Each application to possess radioactive materials in unsealed form, on foils or plated sources, or sealed in glass in excess of the quantities in WAC 246-235-150, "Schedule C—Quantities of radioactive materials requiring consideration of the need for an emergency plan for responding to a release," must contain either:

(a) An evaluation showing that the maximum dose to a member of the public offsite due to a release of radioactive materials would not exceed 1 rem effective dose equivalent or 5 rems to the thyroid or an intake of 2 milligrams of soluble uranium; or

(b) An emergency plan for responding to the radiological hazards of an accidental release of radioactive material and to the chemical hazards associated with uranium hexafluoride, when present.

(2) One or more of the following factors may be used to support an evaluation submitted under subsection (1)(a) of this section:

(a) The radioactive material is physically separated so that only a portion could be involved in an accident;

(b) All or part of the radioactive material is not subject to release during an accident because of the way it is stored or packaged;

(c) The release fraction in the respirable size range would be lower than the release fraction listed in WAC 246-235-150 Schedule C due to the chemical or physical form of the material;

(d) The solubility of the radioactive material would reduce the dose received;

(e) Facility design or engineered safety features in the facility would cause the release fraction to be lower than listed in WAC 246-235-150 Schedule C;

(f) Operating restrictions or procedures would prevent a release fraction as large as that listed in WAC 246-235-150 Schedule C; or

(g) Other factors appropriate for the specific facility.

(3) An emergency plan for responding to a release of radioactive material submitted under subsection (1)(b) of this section must include the following information:

(a) Facility description. A brief description of the licensee's facility and area near the site.

(b) Types of accidents. An identification of each type of radioactive materials accident for which protective actions may be needed.

(c) Classification of accidents. A system for classifying accidents as alerts or site area emergencies.

(d) Detection of accidents. Identification of the means of detecting each type of accident in a timely manner.

(e) Mitigation of consequences. A brief description of the means and equipment for mitigating the consequences of each type of accident, including those provided to protect workers onsite, and a description of the program for maintaining the equipment.

(f) Assessment of releases. A brief description of the methods and equipment to assess releases of radioactive materials.

(g) Responsibilities. A brief description of the responsibilities of licensee personnel should an accident occur, including identification of personnel responsible for promptly notifying offsite response organizations and the department; also responsibilities for developing, maintaining, and updating the plan.

(h) Notification and coordination. A commitment, and a brief description of the means available, promptly to notify offsite response organizations and request offsite assistance, including medical assistance for the treatment of contaminated injured onsite workers when appropriate. A control point must be established. The notification and coordination must

be planned so that unavailability of some personnel, parts of the facility, and some equipment will not prevent the notification and coordination. The licensee shall also commit to notify the department immediately after notification of the appropriate offsite response organizations and not later than one hour after the licensee declares an emergency. These reporting requirements do not supersede or release licensees from complying with the requirements under the Emergency Planning and Community Right-to-Know Act of 1986, Title III, Pub. L. 99-499 or other state or federal reporting requirements.

(i) Information to be communicated. A brief description of the types of information on facility status, radioactive releases, and recommended protective actions, if necessary, to be given to offsite response organizations and to the department.

(j) Training. A brief description of the frequency, performance objectives and plans for the training that the licensee will provide workers on how to respond to an emergency including any special instructions and orientation tours the licensee would offer to fire, police, medical and other emergency personnel. The training shall familiarize personnel with site-specific emergency procedures. Also; the training shall thoroughly prepare site personnel for their responsibilities in the event of accident scenarios postulated as most probable for the specific site, including the use of team training for such scenarios.

(k) Safe shutdown. A brief description of the means of restoring the facility to a safe condition after an accident.

(l) Exercises. Provisions for conducting quarterly communications checks with offsite response organizations and biennial onsite exercises to test response to simulated emergencies. Quarterly communications checks with offsite response organizations must include the check and update of all necessary telephone numbers. The licensee shall invite offsite response organizations to participate in the biennial exercises. Participation of offsite response organizations in biennial exercises although recommended is not required. Exercises must use accident scenarios postulated as most probable for the specific site and the scenarios shall not be known to most exercise participants. The licensee shall critique each exercise using individuals not having direct implementation responsibility for the plan. Critiques of exercises must evaluate the appropriateness of the plan, emergency procedures, facilities, equipment, training of personnel, and overall effectiveness of the response. Deficiencies found by the critiques must be corrected.

(m) Hazardous chemicals. A certification that the licensee or applicant has met its responsibilities under the Emergency Planning and Community Right-to-Know Act of 1986, Title III, Pub. L. 99-499, if applicable to the licensee's or applicant's activities at the proposed place of use of the radioactive material.

(4) The licensee shall allow the offsite response organizations expected to respond in case of an accident sixty days to comment on the licensee's emergency plan before submitting it to the department. The licensee shall provide any comments received within the sixty days to the department with the emergency plan.

NEW SECTION

WAC 246-235-150 Schedule C—Quantities of radioactive materials requiring consideration of the need for an emergency plan for responding to a release.

Radioactive material ¹	Release fraction	Possession limit (curies)
Actinium-228	0.001	4,000
Americium-241	.001	2
Americium-242	.001	2
Americium-243	.001	2
Antimony-124	.01	4,000
Antimony-126	.01	6,000
Barium-133	.01	10,000
Barium-140	.01	30,000
Bismuth-207	.01	5,000
Bismuth-210	.01	600
Cadmium-109	.01	1,000
Cadmium-113	.01	80
Calcium-45	.01	20,000
Californium-252 ²	.001	9
Carbon-14 ³	.01	50,000
Cerium-141	.01	10,000
Cerium-144	.01	300
Cesium-134	.01	2,000
Cesium-137	.01	3,000
Chlorine-36	.5	100
Chromium-51	.01	300,000
Cobalt-60	.001	5,000
Copper-64	.01	200,000
Curium-242	.001	60
Curium-243	.001	3
Curium-244	.001	4
Curium-245	.001	2
Europium-152	.01	500
Europium-154	.01	400
Europium-155	.01	3,000
Germanium-68	.01	2,000
Gadolinium-153	.01	5,000
Gold-198	.01	30,000
Hafnium-172	.01	400
Hafnium-181	.01	7,000
Holmium-166m	.01	100
Hydrogen-3	.5	20,000
Iodine-125	.5	10
Iodine-131	.5	10
Indium-114m	.01	1,000
Iridium-192	.001	40,000
Iron-55	.01	40,000
Iron-59	.01	7,000
Krypton-85	1.0	6,000,000
Lead-210	.01	8
Manganese-56	.01	60,000
Mercury-203	.01	10,000
Molybdenum-99	.01	30,000
Neptunium-237	.001	2
Nickel-63	.01	20,000

Niobium-94	.01	300
Phosphorus-32	.5	100
Phosphorus-33	.5	1,000
Polonium-210	.01	10
Potassium-42	.01	9,000
Promethium-145	.01	4,000
Promethium-147	.01	4,000
Ruthenium-106	.01	200
Samarium-151	.01	4,000
Scandium-46	.01	3,000
Selenium-75	.01	10,000
Silver-110m	.01	1,000
Sodium-22	.01	9,000
Sodium-24	.01	10,000
Strontium-89	.01	3,000
Strontium-90	.01	90
Sulfur-35	.5	900
Technetium-99	.01	10,000
Technetium-99m	.01	400,000
Tellurium-127m	.01	5,000
Tellurium-129m	.01	5,000
Terbium-160	.01	4,000
Thulium-170	.01	4,000
Tin-113	.01	10,000
Tin-123	.01	3,000
Tin-126	.01	1,000
Titanium-44	.01	100
Uranium Hexafluoride	.001	Note ⁴
Vanadium-48	.01	7,000
Xenon-133	1.0	900,000
Yttrium-91	.01	2,000
Zinc-65	.01	5,000
Zirconium-93	.01	400
Zirconium-95	.01	5,000
Any other beta-gamma emitter	.01	10,000
Mixed fission products	.01	1,000
Mixed corrosion products	.01	10,000
Contaminated equipment beta-gamma	.001	10,000
Irradiated material, any form other than solid noncombustible	.01	1,000
Irradiated material, solid noncombustible	.001	10,000
Mixed radioactive waste, beta-gamma	.01	1,000
Packaged mixed waste, beta-gamma ⁵	.001	10,000
Any other alpha emitter	.001	2
Contaminated equipment, alpha	.0001	20
Packaged waste, alpha ⁵	.0001	20
Combinations of radioactive materials listed above ¹		

¹ For combinations of radioactive materials, consideration of the need for an emergency plan is required if the sum of the ratios of the quantity of each radioactive material authorized to the quantity listed for that material in Schedule C exceeds one.
² For Californium-252, the quantity may also be expressed as 20 milligrams.
³ Excludes Carbon-14 as carbon dioxide.

PERMANENT

- 4 For uranium hexafluoride, the quantity is 50 kilograms in a single container or 1,000 kilograms total.
- 5 Waste packaged in Type B containers does not require an emergency plan.

NEW SECTION

WAC 246-240-015 Policy and procedures for therapy administration. (1) Each licensee shall establish and maintain a written program to provide assurance that radioactive material or radiation from radioactive material will be administered as directed by the authorized user. The program must include written policies and procedures to meet the following specific objectives:

(a) That, prior to administration, a written directive is prepared for:

- (i) Any teletherapy radiation dose;
 (ii) Any gamma stereotactic radiosurgery radiation dose;

or

(iii) Any brachytherapy radiation dose. A written revision to an existing written directive may be made for any therapeutic procedure provided the revision is dated and signed by the authorized user prior to the administration of radioactive material or radiation from radioactive material for that therapeutic use. If a delay would jeopardize the patient's health, and the authorized user is not personally present to administer the dose, an oral directive or oral revision to an existing written directive by the authorized user will be acceptable provided the oral directive or oral revision is documented immediately in the patient's chart or record, and the revised written directive is signed by the authorized user within forty-eight hours of the oral revision. Note: A written directive is not required when an authorized user personally assays and administers a dosage, provided the pertinent facts are documented as otherwise required;

(b) That, prior to each administration, the patient's identity is verified by more than one method as the individual named in the written directive;

(c) That final plans of treatment and related calculations for brachytherapy, teletherapy, and gamma stereotactic radiosurgery are in accordance with the respective written directives;

(d) That each administration is in accordance with the written directive; and

(e) That any unintended deviation from the written directive is identified and evaluated, and appropriate action is taken.

(2) The licensee shall evaluate and respond, within thirty days after the discovery of the recordable event, to each recordable event by:

- (a) Assembling the relevant facts including the cause;
 (b) Identifying what, if any, corrective action is required to prevent recurrence; and

(c) Retaining a record, in an auditable form, for three years, of the relevant facts and what corrective action, if any, was taken.

(3) The licensee shall retain:

(a) Each written directive (provided, however, that such written directive is not required if the dose is both personally assayed and administered by the authorized user); and

(b) A record of each administered radiation dose where a written directive is required in subsection (1)(a) of this

section, in an auditable form for three years after the date of the administration.

(4) The licensee may make modifications to the program to increase the program's efficiency provided the program's effectiveness is not decreased.

WSR 95-01-123**PERMANENT RULES****BUILDING CODE COUNCIL**

[Filed December 21, 1994, 11:28 a.m., effective June 30, 1995]

Date of Adoption: November 18, 1994.

Purpose: To amend and adopt the 1994 Uniform Mechanical Code, published by the International Conference of Building Officials, chapter 51-32 WAC.

Statutory Authority for Adoption: Chapter 19.27 RCW.

Pursuant to notice filed as WSR 94-16-118 on August 2, 1994.

Effective Date of Rule: June 30, 1995.

December 21, 1994

Gene Colin

Chair

Chapter 51-32 WAC**STATE BUILDING CODE ADOPTION AND AMENDMENT OF THE 1994 EDITION OF THE UNIFORM MECHANICAL CODE**NEW SECTION

WAC 51-32-001 Authority. These rules are adopted under the authority of chapter 19.27 RCW.

NEW SECTION

WAC 51-32-002 Purpose. The purpose of these rules is to implement the provisions of chapter 19.27 RCW, which provides that the State Building Code Council shall maintain the State Building Code in a status which is consistent with the purpose as set forth in RCW 19.27.020. In maintaining the codes the Council shall regularly review updated versions of the codes adopted under the act, and other pertinent information, and shall amend the codes as deemed appropriate by the Council.

NEW SECTION

WAC 51-32-003 Uniform Mechanical Code. The 1994 edition of the Uniform Mechanical Code, including Chapter 13, Fuel-Gas Piping, Appendix B, published by the International Conference of Building Officials is hereby adopted by reference with the exceptions noted in this chapter of the Washington Administrative Code.

NEW SECTION

WAC 51-32-004 Conflict between Uniform Mechanical Code and State Energy Code chapter 51-11 WAC. In the case of conflict between the duct sealing or insulation requirements of Section 601 or Section 604 of this code and the duct sealing or insulation requirements of chapter 51-11 WAC, the Washington State Energy Code, or where applica-

ble, a local jurisdiction's energy code, the provisions of such energy codes shall govern.

NEW SECTION

WAC 51-32-005 Conflict between Uniform Mechanical Code and State Ventilation and Indoor Air Quality Code chapter 51-13 WAC. In the case of conflict between the Group R ventilation requirements of this code and the Group R ventilation requirements of chapter 51-13 WAC, the Washington State Ventilation and Indoor Air Quality Code, the provisions of the ventilation and indoor air quality code shall govern.

NEW SECTION

WAC 51-32-007 Exceptions. The exceptions and amendments to the Uniform Mechanical Code contained in the provisions of chapter 19.27 RCW shall apply in case of conflict with any of the provisions of these rules.

NEW SECTION

WAC 51-32-008 Implementation. The Uniform Mechanical Code adopted by chapter 51-32 WAC shall become effective in all counties and cities of this state on June 30, 1995.

NEW SECTION

WAC 51-32-0200 Chapter 2—Definitions.

NEW SECTION

WAC 51-32-0223 Section 223—U.

U.B.C. STANDARDS are those standards published in Volume 3 of the *Uniform Building Code* promulgated by the International Conference of Building Officials, as adopted by this jurisdiction.

UNCONFINED SPACE is a room or space having a volume equal to at least 50 cubic feet per 1,000 Btu/h (4.831 L/W) of the aggregate input rating of all fuel-burning appliances installed in that space. Rooms communicating directly with the space in which the appliances are installed, through openings not furnished with doors, are considered a part of the unconfined space.

UNIT HEATER is a heating appliance designed for nonresidential space heating and equipped with an integral means for circulation of air.

UNUSUALLY TIGHT CONSTRUCTION is construction where:

1. Walls and ceilings exposed to the outside atmosphere have a continuous water vapor retarder with a rating of one perm or less with any openings gasketed or sealed, and
2. Weatherstripping on openable windows and doors, and
3. Caulking or sealants are applied to areas such as joints around window and door frames, between sole plates and floors, between wall-ceiling joints, between wall panels and at penetrations for plumbing, electrical and gas lines and at other openings, or

4. Buildings built in compliance with the 1986 or later editions of the Washington State Energy Code (WAC 51-11), Northwest Energy Code, or Super Good Cents weatherization standards or equivalent.

NEW SECTION

WAC 51-32-0300 Chapter 3—General requirements for heating, ventilating and cooling.

Part III—Decorative Appliances, Floor Furnaces, Vented Wall Furnaces, Unit Heaters and Room Heaters

NEW SECTION

WAC 51-32-0327 Section 327—Room heaters and unvented decorative gas logs and fireplaces.

327.1 Vented Freestanding. Vented freestanding room heaters shall be installed with clearances from combustible material as set forth in Table 3-A.

EXCEPTION: Heaters listed for reduced clearances may be installed at the clearances specified on the required manufacturer's label.

327.2 Door Swing. Vented freestanding room heaters shall not be located so that a door can swing within less than 12 inches (305 mm) of a warm-air outlet of the heater, measured at right angles to the outlet. Doorstops or door closers shall not be installed to obtain such clearance.

327.3 Clearance. Vented freestanding room heaters shall be located at least 36 inches (914 mm) below any part of a structure projecting over the heater. This projection shall include doors or windows that could project over the heater.

327.4 Installation. Vented freestanding room heaters shall be safely and securely installed to prevent accidental displacement.

327.5 Vented Overhead. Vented overhead room heaters shall be safely and securely supported with hangers and brackets of noncombustible material and shall be installed with clearances from combustible material as specified on the required manufacturer's label.

EXCEPTION: Installation of overhead heaters in aircraft storage or servicing areas of Group S, Division 5 Occupancies shall comply with requirements of Section 323.1.

327.6 Unvented. Unvented fuel-burning room heaters shall not be installed, used, maintained or permitted to exist in a Group I or R Occupancy nor shall an unvented heater be installed in any building, whether as a new or as a replacement installation, unless permitted by this section. This subsection shall not apply to portable oil-fired unvented heating appliances used as supplemental heating in Group S, Divisions 3, 4 and 5 Occupancies, and Group U Occupancies, and regulated by the Fire Code.

Approved, unvented portable oil-fueled heaters may be used as a supplemental heat source in any Group B, F-2, M, R or U Occupancy provided that such heaters shall not be located in any sleeping room or bathroom, and shall comply with RCW 19.27A.080, 19.27A.090, 19.27A.100, 19.27A.110 and 19.27A.120.

Approved, unvented decorative gas logs and decorative fireplaces may be installed, used, maintained and permitted to exist in any Group I or R Occupancy, except bathrooms and bedrooms. An unvented decorative gas log is a listed natural or liquefied petroleum gas burning log with an open flame consisting of a metal frame or base supporting simulated logs which is designed so that its primary function lies in the aesthetic effect of the logs and flame. An unvented decorative fireplace is a listed unvented gas log permanently installed in a freestanding enclosure or zero clearance enclosure designed and approved for installation in walls or other building structures. Unvented decorative gas logs and fireplaces shall:

1. Be equipped with an approved oxygen-depletion sensor,
2. Be listed,
3. Not be installed in any room which does not have an alternative primary source of heat,
4. Have free air volume of at least 50 cubic feet (1.4 m³) for each 1,000 Btu (2.2 mm²/W) of thermal output,
5. Be permanently installed, and
6. Not be equipped with or connected to any automatic ignition or shut-off device except the oxygen-depletion sensor.

327.7 Overhead Radiant Heaters. Listed or approved unvented overhead room heaters may be installed in Group A, Division 2, 2.1, 3 or 4; Groups B; H, Division 4; Group H, Division 5; or Group U Occupancy, provided the installation conforms to all of the following requirements:

1. All portions of the heater are located at least 8 feet (2438 mm) above the floor.
2. At least two unobstructed permanent openings are provided to the room or space containing such heaters. These openings shall open directly to the outside of the building through the floor, roof or wall. The minimum combined total area of these openings shall be at least 1 square inch for each 1,000 Btu/h (2.2 mm²/W) input of the heater or heaters, with a minimum total area of 100 square inches (0.0645 m²). One half of the required openings shall be above the heater or heaters and one half shall be located below the heater or heaters.

EXCEPTION: When approved by the building official, provisions may be made to exhaust the products of combustion to the exterior by mechanical means.

3. Heaters shall be safely and securely supported with hangers and brackets of noncombustible material and installed with clearances from combustible material as specified on the required manufacturer's label.

NEW SECTION

WAC 51-32-0500 Chapter 5—Exhaust systems.

NEW SECTION

WAC 51-32-0504 Section 504—Environmental air ducts.

504.1 Makeup and Exhaust Air Ducts. Environmental air ducts not regulated by other provisions of this code shall comply with this section. Ducts shall be substantially

airtight and shall comply with the provisions of Chapter 6. Exhaust ducts shall terminate outside the building and shall be equipped with backdraft dampers. Environmental air ducts which have an alternate function as a part of an approved smoke-control system do not require design as Class I product-conveying ducts.

504.2 Domestic Range Vents. Ducts used for domestic kitchen range ventilation shall be of metal and shall have smooth interior surfaces.

EXCEPTION: Ducts for domestic kitchen downdraft grill-range ventilation installed under a concrete slab floor may be of approved Schedule 40 PVC provided:

1. The under-floor trench in which the duct is installed shall be completely backfilled with sand or gravel.
2. Not more than 1 inch (25 mm) of 6-inch-diameter (152 mm) PVC coupling may protrude above the concrete floor surface.
3. PVC pipe joints shall be solvent cemented to provide an air- and grease-tight duct.
4. The duct shall terminate above grade outside the building and shall be equipped with a backdraft damper.

504.3 Domestic Dryer Vent. Domestic clothes dryer moisture exhaust ducts shall be of metal and shall have smooth interior surfaces.

EXCEPTION: Approved flexible duct connectors not more than 6 feet in length may be used in connection with domestic dryer exhausts. Flexible duct connectors shall not be concealed within construction.

504.3.1 Moisture exhaust ducts. Moisture exhaust ducts for domestic clothes dryers shall terminate on the outside of the building and shall be equipped with a back-draft damper. Screens shall not be installed at the duct termination. Ducts for exhausting clothes dryers shall not be connected or installed with sheet metal screws or other fasteners which will obstruct the flow. Clothes dryer moisture exhaust ducts shall not be connected to a gas vent connector, gas vent or chimney. Clothes dryer moisture exhaust ducts shall not extend into or through ducts or plenums. Clothes dryer exhaust ducts shall be protected by a steel plate or clip not less than 1/16 inch (1.59 mm) in thickness and of sufficient width to fully protect the duct. Plates or clips shall be placed on the finish face of all framing members which the clothes dryer exhaust duct passes through when there is less than 1-1/4 inch (32 mm) of framing material between the duct and the finish face. Plates or clips shall also be placed where nails or screws from finish or other work are likely to penetrate the clothes dryer exhaust duct.

504.3.2 Length limitation. Unless otherwise permitted or required by the dryer manufacturer's installation instructions and approved by the building official, domestic dryer moisture exhaust ducts shall not exceed a total combined horizontal and vertical length of 14 feet (4267 mm), including two 90-degree elbows. Two feet (610 mm) shall be deducted for each 90-degree elbow in excess of two.

504.4 Commercial Dryer Exhaust Systems. Commercial dryer moisture exhaust ducts shall be installed in accordance with their listing.

504.5 Gypsum Wallboard Ducts. Bathroom and laundry room exhaust ducts may be of gypsum wallboard subject to the limitations of Section 601.1.3.

NEW SECTION**WAC 51-32-0600 Chapter 6—Duct systems.**NEW SECTION

WAC 51-32-0601 Section 601—Scope. Ducts and plenums which are portions of a heating, cooling, absorption or evaporative cooling system shall comply with the requirements of this chapter.

601.1 Material. Supply air, return air and outside air for heating, cooling or evaporative cooling systems shall be conducted through duct systems constructed of metal as set forth in Tables 6-A, 6-B and 6-C; metal ducts complying with the U.M.C. Standard 6-2 with prior approval; or factory-made air ducts complying with U.M.C. Standard 6-1. Ducts, plenums and fittings may be constructed of concrete, clay, ceramics or other approved nonmetallic materials when installed in the ground or in a concrete slab, provided the joints are tightly sealed.

601.1.1 Use of corridor as plenum. Corridors shall not be used to convey air to or from rooms if the corridor is required to be of fire-resistive construction by Section 1005 of the Building Code.

EXCEPTIONS:

1. Where such air is part of an engineered smoke control system.
2. Corridors conforming to Section 1019.3 of the Uniform Building Code in Group I Occupancies.
3. Corridors serving residential occupancies may be supplied without specific mechanical exhaust subject to the following:
 - 3.1 The supply air is 100 percent outside air, and
 - 3.2 The units served by the corridor have conforming ventilation independent of the air supplied to the corridor, and
 - 3.3 For other than high-rise buildings, the supply fan will automatically shut off upon activation of corridor smoke detectors which shall be spaced at no more than 30 feet (9144 mm) on center along the corridor, and
 - 3.4 For high-rise buildings, corridor smoke detector activation will close required smoke/fire dampers at the supply inlet to the corridor at the floor receiving the alarm.

601.1.2 Use of concealed space as plenum. Concealed building spaces or independent construction within buildings may be used as ducts or plenums.

601.1.3 Gypsum products exposed in ducts. When gypsum products are exposed in ducts or plenums, the air temperature shall be restricted to a range from 50°F. to 125°F. (10°C. to 50°C.) and moisture content shall be controlled so that the material is not adversely affected. For the purpose of this section, gypsum products shall not be exposed in ducts serving as supply from evaporative coolers, and in other air-handling systems regulated by this chapter when the temperature of the gypsum product will be below the dew point temperature.

See Chapter 8 for limitations on combustion products venting systems extending into or through ducts or plenums.

See Chapter 5 for limitations on environmental air systems exhaust ducts extending into or through ducts or plenums.

601.2 Contamination Prevention. Exhaust ducts under positive pressure and venting systems shall not extend into or pass through ducts or plenums. For appliance vents and chimneys, see Chapter 8.

EXCEPTION: Exhaust ducts conveying environmental air may pass through a duct or plenum provided that:

1. The duct is maintained under sufficient negative pressure to prevent leakage of the exhaust air to the surrounding duct or plenum; or
2. If maintained under a positive pressure with respect to the surrounding duct or plenum, the exhaust duct will be sealed to prevent leakage; or
3. The surrounding air stream is an exhaust air stream not intended for recirculation to the building and cross contamination of the two air streams will not create a hazardous condition.

601.3 Combustibles within Ducts or Plenums. Materials exposed within ducts or plenums shall have a flame-spread index of not more than 25 and a smoke-developed rating of not more than 50 when tested in accordance with the test for Surface Burning Characteristics of Building Materials, U.B.C. Standard 8-1.

EXCEPTIONS:

1. Return-air and outside-air ducts, plenums or concealed spaces which serve a dwelling unit may be of combustible construction.
2. Air filters meeting the requirements of Section 403.
3. Water evaporation media in an evaporative cooler.
4. Charcoal filters when protected with an approved fire-suppression system.
5. Electrical wiring in plenums shall comply with the Electrical Code. Flame propagation and smoke production characteristics of exposed electric cables installed in concealed space used as air plenums shall:
 - 5.1 Exhibit a flame travel of 5 feet or less, and
 - 5.2 Produce smoke having an average optical density not greater than 0.15 and having a peak optical density of 0.5 or less when tested in accordance with U.M.C. Standard 6-3.
- 5.3 Wiring meeting these requirements shall be listed and labeled as plenum cable as required by the Electrical Code.
6. Nonmetallic fire sprinkler piping in plenums shall be listed and shall meet the following requirements:
 - 6.1 Exhibit flame travel of 5 feet (1524 mm) or less, and
 - 6.2 Produce smoke having an average optical density not greater than 0.15 and having a peak optical density of 0.5 or less when tested in accordance with U.M.C. Standard 6-3.

601.4 Factory-made Air Ducts. Factory-made air ducts shall be approved for the use intended or shall conform to the requirements of U.M.C. Standard 6-1. Each portion of a factory-made air duct system shall be identified by the manufacturer with a label or other suitable identification indicating compliance with U.M.C. Standard 6-1 and its class designation. These ducts shall be listed and shall be installed in accordance with the terms of their listing, and the requirements of U.M.C. Standard 6-1.

601.5 Joints and Seams of Ducts. Joints of duct systems shall be made substantially airtight by means of tapes, mastics, gasketing or other means.

601.5.1 Residential round ducts. Crimp joints for residential round ducts shall have a contact lap of at least 1-1/2 inches (38 mm) and shall be mechanically fastened by means of at least three sheet-metal screws equally spaced around the joint, or an equivalent fastening method.

601.5.2 Residential rectangular ducts. Joints and seams for 0.016-inch (0.41 mm) (No. 28 gage) and 0.013-inch (0.33 mm) (No. 30 gage) residential rectangular ducts shall be as specified in Table 6-A for 0.019-inch (0.48 mm) (No. 26 gage) material.

601.5.3 Rectangular ducts. Joints and seams for rectangular duct systems shall be as specified in Table 6-A.

601.5.4 Oval ducts. Joints and seams for flat oval ducts and round ducts in other than single dwelling units shall be as specified in Table 6-B.

601.5.5 Listed duct. Joints and seams and all reinforcements for factory-made air ducts and plenums shall meet with the conditions of prior approval in accordance with the installation instructions that shall accompany the product.

601.6 Metal. Every duct, plenum or fitting of metal shall comply with Table 6-A or Table 6-B.

EXCEPTIONS:

1. Ducts, plenums and fittings for systems serving single-dwelling units may comply with Table 6-C.
2. Duct systems complying with U.M.C. Standard 6-1.

601.7 Tinned Steel. Existing tinned steel ducts may be used when cooling coils are added to a heating system, provided the first 10 feet (3048 mm) of the duct or plenum measured from the cooling coil discharge are constructed of metal of the gage thickness set forth in Table 6-A, 6-B or 6-C of this chapter or are of approved material and construction. Tinned ducts completely enclosed in inaccessible concealed areas need not be replaced. All accessible ducts shall be insulated to comply with Table 6-D of this chapter. For the purpose of this subsection, ducts shall be considered accessible if the access space is 30 inches (762 mm) or greater in height.

601.8 Vibration Isolators. Vibration isolators installed between mechanical equipment and metal ducts (or casings) shall be made of an approved material and shall not exceed 10 inches (254 mm) in length.

NEW SECTION

WAC 51-32-0605 Section 605—Dampers in duct systems.

605.1 Smoke Dampers. Smoke dampers complying with recognized standards in Chapter 16, Part III, shall be installed in accordance with approved manufacturer's installation instructions when required by Chapters 7 and 9 of the Building Code. Smoke dampers shall be labeled by an approved agency.

605.2 Fire Dampers. Fire dampers complying with recognized standards in Chapter 16, Part III, shall be installed in accordance with approved manufacturer's installation instructions when required by Chapter 7 of the Building Code. Fire dampers shall have been tested for closure under airflow conditions and shall be labeled for both maximum airflow permitted and direction of flow. When more than one damper is installed at a point in a single air path, the entire airflow shall be assumed to be passing through the smallest damper area. Fire dampers shall be labeled by an approved agency. Only fire dampers labeled for use in dynamic systems shall be installed in heating, ventilation and air-conditioning systems which are intended to operate with fans "on" during a fire; see U.B.C. Section 713.12.

EXCEPTION: Fire dampers need not be installed in air ducts passing through the wall, floor or ceiling separating a Group R, Division 3 Occupancy from a Group U Occupancy, provided such ducts within the Group U Occupancy are constructed of steel having a thickness not less than 0.019

inch (0.48 mm) (No. 26 galvanized sheet gage) and have no openings into the Group U Occupancy.

Ductwork shall be connected to damper sleeves or assemblies in such a way that collapse of the ductwork will not dislodge the damper or impair its proper operation.

605.3 Ceiling Dampers. Ceiling dampers complying with recognized standards in Chapter 16, Part III, shall be installed in accordance with manufacturer's approved installation instructions in the fire-resistive ceiling element of floor-ceiling and roof-ceiling assemblies when required by Chapter 7 of the Building Code. Fire dampers not meeting the temperature limitation of ceiling dampers shall not be used as substitutes. Ceiling dampers shall be labeled by an approved agency.

605.4 Multiple Arrangements. When size requires the use of multiple dampers, the installation shall be framed in an approved manner to ensure that the dampers remain in place.

605.5 Access and Identification. Dampers shall be provided with an approved means of access, large enough to permit inspection and maintenance of the damper and its operating parts. The access shall not impair fire-resistive construction. Access shall not require the use of tools, keys or special knowledge. Access points shall be permanently identified on the exterior by a label with letters not less than 1/2 inch (13 mm) in height reading: SMOKE DAMPER or FIRE DAMPER. Access doors in ducts shall be tightfitting and suitable for the required duct construction.

605.6 Freedom from Interference. Dampers shall be installed in a manner to ensure positive closing or opening as required by function. Interior liners or insulation shall be held back from portions of a damper, its sleeve or an adjoining duct which would interfere with the damper's proper operation. Exterior materials shall be installed so as to avoid interference with the operation or maintenance of external operating devices needed for proper function.

605.7 Temperature Classification of Operating Elements. Fusible links, thermal sensors, and pneumatic or electric operators shall have a temperature rating or classification as required by the Building Code.

NEW SECTION

WAC 51-32-1300 Appendix B, Chapter 13—Fuel-gas piping.

NEW SECTION

WAC 51-32-1312 Section 1312—Material for gas piping.

1312.1 General. Pipe used for the installation, extension, alteration or repair of gas piping shall be standard weight wrought iron or steel (galvanized or black), yellow brass containing not more than 75 percent copper, or internally tinned or equivalently treated copper of iron pipe size. Approved PE pipe may be used in exterior buried piping systems. Corrugated Stainless Steel Tubing (CSST) may be used for gas piping provided that it is part of a system that has been tested and listed to the ANSI/AGA Standard LC-1 and is installed in accordance with the manufacturer's installation instructions.

1312.2 Reused Pipe. Gas pipe shall be new or shall have been used previously for no purpose other than conveying gas; it shall be in good condition, clean and free from internal obstructions. Burred ends shall be reamed to the full bore of the pipe.

1312.3 Fittings. Fittings used in connection with the piping shall be of malleable iron, yellow brass containing not more than 75 percent copper or approved plastic fittings.

1312.4 Valves and Appurtenances. Valves and appurtenances for gas piping shall be of a type designed and approved for use with fuel gas.

NEW SECTION

WAC 51-32-1313 Section 1313—Installation of gas piping.

1313.1 Joints. Joints in the piping system, unless welded, shall be threaded joints having approved standard threads. Threaded joints shall be made with approved pipe joint material, insoluble in fuel gas and applied to the male threads only. Welded joints in a gas-supply system shall be made by a pipeline welder. See Section 1302.

1313.2 Location. Gas piping shall not be installed in or on the ground under any building or structure and exposed gas piping shall be kept at least 6 inches (152 mm) above grade or structure. The term "building or structure" shall include structures such as porches and steps, whether covered or uncovered, breezeways, roofed porte-cocheres, roofed patios, carports, covered walks, covered driveways, and similar structures or appurtenances.

Concealed unprotected gas piping may be installed above grade in approved recesses or channels.

EXCEPTION: When necessary due to structural conditions, approved-type gas piping may be installed in other locations when permission has first been obtained from the building official.

1313.3 Drip Pipes. When water vapor is present in the fuel gas served, accessible-drip pipes shall be provided at points where condensation will collect.

1313.4 Corrosion and Covering Protection. Ferrous gas piping installed underground in exterior locations shall be protected from corrosion by approved coatings or wrapping materials applied in an approved manner. Horizontal metallic piping shall have at least 12 inches (305 mm) of earth cover or equivalent protection. Plastic gas piping shall have at least 18 inches (457 mm) of earth cover or equivalent protection. Risers, including prefabricated risers inserted with plastic pipe, shall be metallic and shall be protected in an approved manner to a point at least 6 inches above grade. When a riser connects to plastic pipe underground the horizontal metallic portion underground shall be at least 30 inches (762 mm) in length before connecting to the plastic service pipe. An approved transition fitting or adaptor shall be used where the plastic joins the metallic riser.

EXCEPTION: Listed one-piece 90-degree transition fittings or risers may have less than 30 inches (762 mm) of horizontal metallic piping.

1313.5 Wrapping. Gas pipe protective coatings shall be approved types, machine applied, conforming to recognized

standards. Field wrapping shall provide equivalent protection and is restricted to those fittings, short sections, and where the factory wrap has been damaged or necessarily stripped for threading or welding. Zinc coatings (galvanizing) shall not be deemed adequate protection for gas piping below ground. Ferrous metals exposed in exterior locations shall be protected from corrosion in a manner satisfactory to the building official.

1313.6 Support and Fill. Gas piping shall be adequately supported by metal straps or hooks at intervals not to exceed those shown in Table B13-A. Gas piping installed below grade shall be effectively supported at all points on undisturbed or well-compacted soil or sand.

1313.7 Building Shutoff. Gas piping supplying more than one building on a premises shall be equipped with separate shutoff valves to each building, so arranged that the gas supply can be turned on or off to an individual or separate building. The shutoff valve shall be located outside the building it supplies and shall be readily accessible. Buildings accessory to single-family residences are exempt from the requirements of this section.

1313.8 Unions. Where unions are necessary, right and left nipples and couplings shall be used. Ground-joint unions may be used at exposed fixture, appliance or equipment connections and in exposed exterior locations immediately on the discharge side of a building shutoff valve. Heavy-duty flanged-type unions may be used in special cases, when approved by the building official. Bushings shall not be in concealed locations.

1313.9 Interjections. When air, oxygen or other special supplementary gas under pressure is introduced with the regularly supplied gas, either directly into the gas-piping system or at burners, a device approved by the building officials shall be installed to prevent backflow of the supplemental gas into the gas-piping system. The device shall be located between the source of the supplemental gas and meter and shall be on the gas line leading to the appliance using the special gas. This device may be either a spring-loaded or diaphragm-type check valve and shall be capable of withstanding the pressure imposed on it.

When liquefied petroleum or other standby gas is interconnected with the regular gas-piping system, an approved three-way two-port valve or other adequate safeguard acceptable to the building official shall be installed to prevent backflow into either supply system.

1313.10 Valves. Valves used in connection with gas piping shall be approved types, and shall be accessible.

1313.11 Barbecue or Fireplace Outlets. Gas outlets in a barbecue or fireplace shall be controlled by an approved operating valve located in the same room and outside the fireplace but not more than 4 feet (1219 mm) from the outlets. If piping on the discharge side of the control valve is standard weight brass or galvanized steel, the piping may be embedded in or surrounded by not less than 2 inches (51 mm) of concrete or masonry.

1313.12 Shutoff Valve. An accessible shutoff valve of a type set forth in Section 1313.10 shall be installed in the fuel-supply piping outside of each appliance and ahead of

the union connection thereto, and in addition to any valve on the appliance. Shutoff valves shall be within 3 feet (914 mm) of the appliance.

Shutoff valves may be located immediately adjacent to and inside or under an appliance when placed in an accessible and protected location and when such appliance may be removed without removal of the valve.

Shutoff valves may be accessibly located inside wall heaters and wall furnaces listed for recessed installation where necessary maintenance can be performed without removal of the shutoff valve.

1313.13 Tracer for Nonmetallic Buried Piping. An electrically continuous insulated No. 18 [0.040 inch diameter (1 mm)] copper tracer wire or other approved conductor shall be installed with and attached to underground nonmetallic gas piping and shall terminate above grade at each end.

1313.14 Directional Changes. Changes in direction of gas piping shall be made by use of appropriate fitting, except that polyethylene gas piping and tubing may be bent to a radius not less than 20 times the nominal diameter of the pipe or tube.

1313.15 Corrosion Isolation. Underground ferrous gas piping shall be electrically isolated from the rest of the gas system with approved isolation fittings installed a minimum of 6 inches (153 mm) above grade.

WSR 95-01-124
PERMANENT RULES
BUILDING CODE COUNCIL

[Filed December 21, 1994, 11:30 a.m., effective June 30, 1995]

Date of Adoption: November 18, 1994.

Purpose: To amend the 1991 Edition of the Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials.

Citation of Existing Rules Affected by this Order: Amending chapter 51-26 WAC.

Statutory Authority for Adoption: Chapter 19.27 RCW.

Pursuant to notice filed as WSR 94-16-115 on August 2, 1994.

Effective Date of Rule: June 30, 1995.

December 21, 1994
Gene Colin
Chair

NEW SECTION

WAC 51-26-0909 Section 909—Floor drains and shower stalls. (a) Floor drains shall be considered plumbing fixtures and each such drain shall be provided with an approved type strainer having a waterway equivalent to the area of the tailpiece. Floor drains, floor receptors, and shower drains shall be of an approved type, suitably flanged to provide a watertight joint in the floor.

(b) Shower receptors are plumbing fixtures and shall conform to the general requirements therefore contained in Section 901 of this chapter. Each such shower receptor shall be constructed of vitrified china or earthenware, ceramic tile,

porcelain enameled metal, or of such other material as may be acceptable to the Administrative Authority. No shower receptacle shall be installed unless it conforms to acceptable standards as required by Chapter 2 of this Code or until a specification or a prototype or both of such receptor has first been submitted to the Administrative Authority and his approval obtained.

(c) Each shower receptor shall be an approved type and be so constructed as to have a finished dam, curb, or threshold which is at least one (1) inch (25.4 mm) lower than the sides and back of such receptor. In no case shall any dam or threshold be less than two (2) inches (50.8 mm) or more than nine (9) inches (228.6 mm) in depth when measured from the top of the dam or threshold to the top of the drain. The finished floor of the receptor shall slope uniformly from the sides toward the drain not less than one-quarter (1/4) inch per foot (20.9 mm/m), nor more than one-half (1/2) inch per foot (41.8 mm/m). Thresholds shall be of sufficient width to accommodate a minimum 22 inch (558.8 mm) door.

Exception: Special use shower compartments for wheelchair use may eliminate the curb or threshold. The required slope and depth shall be maintained from the door entry to the drain opening. The minimum distance between the door or entry to the drain opening shall be 4 feet (1.2 m).

(d) All shower compartments, regardless of shape, shall have a minimum finished interior of one thousand twenty-four (1024) square inches (0.66 m²) and shall also be capable of encompassing a thirty (30) inch (762 mm) circle. The minimum required area and dimensions shall be measured at a height equal to the top of the threshold and at a point tangent to its centerline. The minimum area and dimensions shall be maintained to a point seventy (70) inches (1778 mm) above the shower drain outlet with no protrusions other than the fixture valve or valves, shower head and safety grab bars or rails.

(e) When the construction of on-site built-up shower receptors is permitted by the Administrative Authority, one of the following means shall be employed:

(1) Shower receptors built directly on the ground:

Shower receptors built directly on the ground shall be watertight and shall be constructed from approved type dense, non-absorbent and non-corrosive materials. Each such receptor shall be adequately reinforced, shall be provided with an approved flanged floor drain designed to make a watertight joint in the floor, and shall have smooth, impervious, and durable surfaces.

(2) Shower receptors built above ground:

When shower receptors are built above ground the sub-floor and rough side of walls to a height of not less than three (3) inches (76.2 mm) above the top of the finished dam or threshold shall be first lined with sheet lead or copper* or shall be lined with other durable and watertight materials. All lining materials shall be pitched one-quarter (1/4) inch per foot (20.9 mm/m) to weep holes in the subdrain of a smooth and solidly formed sub-base. All such lining materials shall extend upward on the rough jambs of the shower opening to a point no less than three (3) inches (76.2 mm) above the top of the finished dam or threshold and

shall extend outward over the top of the rough threshold and be turned over and fastened on the outside face of both the rough threshold and the jambs.

- * Lead and copper sub-pans or linings shall be insulated from all conducting substances other than their connecting drain by fifteen (15) pound (6.8 kg) asphalt felt or its equivalent and no lead pan or liner shall be constructed of material weighing less than four (4) pounds per square foot (19.6 kg/m²). Copper pans or liners shall be at least No. 24 B & S Gauge (0.2 inches) (.5 mm). Joints in lead pans or liners shall be burned. Joints in copper pans or liners shall be soldered or brazed.

Non-metallic shower sub-pans or linings may be built-up on the job site of not less than three (3) layers of standard grade fifteen (15) pound (6.8 kg) asphalt impregnated roofing felt. The bottom layer shall be fitted to the formed sub-base and each succeeding layer thoroughly hot mopped to that below. All corners shall be carefully fitted and shall be made strong and watertight by folding or lapping, and each corner shall be reinforced with suitable webbing hot-mopped in place. All folds, laps, and reinforcing webbing shall extend at least four (4) inches (101.6 mm) in all directions from the corner and all webbing shall be of approved type and mesh, producing a tensile strength of not less than fifty (50) pounds per inch (.9 kg/mm) in either direction. Non-metallic shower sub-pans or linings may also consist of multi-layers of other approved equivalent materials suitably reinforced and carefully fitted in place on the job site as elsewhere required in this section.

Linings shall be properly recessed and fastened to approved backing so as not to occupy the space required for the wall covering and shall not be nailed or perforated at any point which may be less than one (1) inch (25.4 mm) above the finished dam or threshold. An approved type sub-drain shall be installed with every shower sub-pan or lining. Each such sub-drain shall be of the type that sets flush with the sub-base and shall be equipped with a clamping ring or other device to make a tight connection between the lining and the drain. The sub-drain shall have weep holes into the waste line.

All shower lining materials shall conform to approved standards acceptable to the Administrative Authority.

(f) Floors of public shower rooms shall have a non-skid surface and shall be drained in such a manner that waste water from one bather will not pass over areas occupied by other bathers. Gutters in public or gang shower rooms shall have rounded corners for easy cleaning and shall be sloped not less than two (2) percent toward drains. Drains in gutters shall be spaced not more than eight (8) feet (2.4 m) from side walls nor more than sixteen (16) feet (4.9 m) apart.

(g) In the absence of local regulations, showers in all occupancies other than dwelling units served by individual water heaters shall be provided with individual shower control valves of the pressure balance or the thermostatic mixing valve type. Multiple or gang showers may be controlled by a master thermostatic mixing valve in lieu of individually controlled pressure balance or thermostatic mixing valves. Limit stops shall be provided on such valves and shall be adjusted to deliver a maximum 120°F.

NEW SECTION

WAC 51-26-1007 Section 1007—Water pressure, pressure regulators, and pressure relief valves. (a) Inadequate Water Pressure - Whenever the water pressure in the main or other source of supply will not provide a water pressure of at least fifteen (15) pounds per square inch (103.4 kPa), after allowing for friction and other pressure losses, a tank and a pump or other means which will provide said fifteen (15) pounds per square inch (103.4 kPa) pressure shall be installed.

(b) Excessive Water Pressure - Where local water pressure is in excess of eighty (80) pounds per square inch (551.2 kPa), an approved type pressure regulator preceded by an adequate strainer shall be installed and the pressure reduced to eighty (80) pounds per square inch (551.2 kPa) or less. For potable water services up to and including one and one-half (1-1/2) inch (38.1 mm) regulators, provision shall be made to prevent pressure on the building side of the regulator from exceeding main supply pressure. Approved regulators with integral by-passes are acceptable. Each such regulator and strainer shall be accessibly located and shall have the strainer readily accessible for cleaning without removing the regulator or strainer body or disconnecting the supply piping. All pipe size determinations shall be based on eighty (80) percent of the reduced pressure when using Table 10-2.

(c) Any water system provided with a pressure regulating device or check valve at its source or any water system containing storage water heating equipment shall be provided with an approved, listed, adequately sized pressure relief valve, except for listed non-storage instantaneous heaters having an inside diameter of not more than three (3) inches.

In addition to the required pressure relief valve, an approved, listed expansion tank or other device designed for intermittent operation for thermal expansion control shall be installed whenever the building supply pressure is greater than the required relief valve pressure setting or when any device is installed that prevents pressure relief through the building supply. The tank or device shall be sized in accordance with the manufacturer's recommendation.

(d) Each pressure relief valve shall be an approved automatic type with drain, and each such relief valve shall be set at a pressure of not more than one hundred fifty (150) pounds per square inch (1033.5 kPa).

(e) Relief valves located inside a building shall be provided with a drain, not smaller than the relief valve outlet, of galvanized steel, hard drawn copper piping and fittings, CPVC or PB with fittings which will not reduce the internal bore of the pipe or tubing (straight lengths as opposed to coils) and shall extend from the valve to the outside of the building with the end of the pipe not more than two (2) feet (.6 m) nor less than six (6) inches (152.4 mm) above the ground and pointing downward. Such drains may terminate at other approved locations. No part of such drain pipe shall be trapped and the terminal end of the drain pipe shall not be threaded.

(f) Any water heating device connected to a separate storage tank and having valves between said heater and tank

shall be provided with an approved water pressure relief valve.

(g) Nothing contained herein shall prevent the use of an approved combination temperature and pressure relief valve. Each such approved combination temperature and pressure relief valve shall be installed on the water heating device in an approved location based on its listing requirements and the manufacturer's instructions. Each such combination temperature and pressure relief valve shall be provided with a drain as required in subsection (e) of this section.

NEW SECTION

WAC 51-26-1009 Section 1009—Size of potable water piping. (a) The size of each water meter and each potable water supply pipe from the meter or other source of supply to the fixture supply branches, risers, fixtures, connections, outlets, or other uses shall be based on the total demand and shall be determined according to the methods and procedures outlined in this section.

(b) Whenever a water filter, water softener or similar water treating device, backflow prevention device, or similar device is installed in any water supply line, the pressure loss through such devices must be included in the pressure loss calculations of the system, and the water supply pipe and meter shall be adequately sized to provide for any such pressure loss.

No water filter, water softener, backflow prevention device, or similar device regulated by this Code shall be installed in any potable water supply piping when the diameter of the inlet or outlet of any such device or its connecting piping is less than the diameter of such water supply piping, or when the installation of such device produces an excessive pressure drop in any such water supply piping.

All such devices shall be of a type approved by the Administrative Authority and shall be tested for flow rating and pressure loss by an approved laboratory or recognized testing agency to standards consistent with the intent of this chapter. The maximum rated flow and the pressure loss shall be stamped legibly on the device or on a metal label, permanently attached to the device, and shall be in the following form:

MAXIMUM PRESSURE DROP

Flow Gallons per minute	Liters per second	Pressure Drop Pounds per square inch
5	.32	-- (kPa)
10	.63	-- (kPa)
15	.95	-- (kPa)

NOTE: The final figure in the flow rate column shall be the maximum rated flow or capacity of the device.

(c) The quantity of water required to be supplied to every plumbing fixture shall be represented by fixture units, as shown in Table 10-1. Equivalent fixture values shown in Table 10-1 include both hot and cold water demand.

(d) Where the maximum length of supply piping is two hundred (200) feet (60.8 m) or less, each water piping

system of fifty (50) fixture units or less shall be sized in accordance with the values set forth in Table 10-2 of this section. Other systems of more than fifty (50) fixture units and within the range of Table 10-2 may be sized from that table or by the method set forth in subsection (f) of this section.

(e) Listed engineered parallel water distribution systems may be installed in accordance with their listing.

(f) Except as provided in subsection (d) of this section, the size of each water piping system shall be determined in accordance with the procedure set forth in Appendix A of this Code (Recommended Rules for Sizing the Water Supply System).

(g) Except where the type of pipe used and the water characteristics are such that no decrease in capacity due to length of service (age of system) may be expected, all friction loss data shall be obtained from the "Fairly Rough" or "Rough" charts in Appendix A of this Code. Friction or pressure losses in water meter, valve and fittings shall be obtained from the same sources. Pressure losses through water treating equipment, backflow prevention devices, or other flow restricting devices shall be computed as required by subsection (b) of this section.

(h) On any proposed water piping installation sized using Table 10-2, the following conditions shall be determined:

- (1) Total number of fixture units as determined from the table of Equivalent Fixture Units (Table 10-1) for the fixtures to be installed.
- (2) Developed length of supply pipe from meter to most remote outlet.
- (3) Difference in elevation between the meter or other source of supply and the highest fixture or outlet.
- (4) Pressure in the street main or other source of supply at the locality where the installation is to be made.
- (5) In localities where there is a fluctuation of pressure in the main throughout the day, the water piping systems shall be designed on the basis of the minimum pressure available.

(i) **Size of Meter and Building Supply Pipe Using Table 10-2.** Knowing the available pressure at the water meter or other source of supply, and after subtracting one-half (1/2) pound per square inch pressure for each foot (11.3 kPa/m) of difference in elevation between such source of supply and highest water supply outlet in the building or on the premises, use the "Pressure Range" group within which this pressure will fall. Select the "length" column which is equal to or longer than the required length. Follow down the column to a fixture unit value equal to or greater than the total number of fixture units required by the installation. Having located the proper fixture unit value for the required length, sizes of meter and building supply pipe will be found in the two left-hand columns.

No building supply pipe shall be less than three-quarter (3/4) inch (919.1 mm) in diameter.

(j) **Size of Branches.** The size of each branch shall be determined by the number of fixture units to be served by

PERMANENT

that branch, following the methods outlined in subsection (i) of this section.

(k) **Sizing for Flushometer Valves.** Branches and mains serving water closet or similar flushometer valves may be sized from Table 10-2 when the following values are assigned to each flushometer valve beginning with the most remote valve on each branch.

For the first flushometer valve	40 fixture units
For the second flushometer valve	30 fixture units
For the third flushometer valve	20 fixture units
For the fourth flushometer valve	15 fixture units
For the fifth flushometer valve	10 fixture units

Flushometer valves with an assigned value of five (5) fixture units given in Table 10-1 may be computed at half (1/2) the above values assigned, but in no case less than five (5) fixture units. After the fifth valve on any branch or main, subsequent fixture unit loading may be computed using the value of the fifth flushometer. Piping supplying a flushometer valve shall not be less in size than the valve inlet.

Note: Any system using flushometer valves may be sized by the procedures set forth in subsection (f) of this section.

(l) **Sizing Systems for Flushometer Tanks.** The size of branches and mains serving flushometer tanks shall be consistent with the sizing procedures for flush tank water closets.

(m) **Sizing Systems With Hot Water Piping.** In sizing a water piping system having a total demand of fifty (50) fixture units or less, the greatest developed length of the cold water supply piping may be used (from Table 10-2) and the length of the hot water piping ignored when the hot water piping friction loss is compensated for by the following method:

- (1) Compute the total hot water fixture unit demand, using those values given in Table 10-1 for the combined hot and cold water use.
- (2) Assign the total demand computed as required in (1) above, as the fixture unit demand at the hot water heater inlet.
- (3) Starting at the most remote outlet on the cold water piping and working back toward the water meter, compute the pipe sizing for the system from the column originally selected in Table 10-2, using the fixture unit values given in Table 10-1, and adding in the fixture unit demand of the hot water heater supply inlet as computed in (1) above, at the point where it occurs. The final size of the cold water branch or main need not exceed the originally established size of the building supply.

(n) Except as provided in subsection (m), water piping systems may be designed by taking the total length of the supply piping from the source of cold water supply through the water heater, to the most remote hot water outlet and assessing flow values of seventy-five (75) percent of the combined hot and cold water demand as given in Table 10-1, to the piping supplying either hot or cold water to those fixtures served by both. Piping serving water heaters shall be sized to deliver the above required hot water demand, plus all required cold water demands, but in no case need the piping be larger in size than that required by Table 10-2 for the total building supply.

(o) **Exceptions.** The provisions of this section relative to size of water piping need not apply to the following:

- (1) Water supply piping systems designed in accordance with recognized engineering procedures acceptable to the Administrative Authority.
- (2) Alteration of or minor additions to existing installations, provided the Administrative Authority finds that there will be a reasonably adequate supply of water for all fixtures.
- (3) Replacement of existing fixtures or appliances.
- (4) Piping which is part of fixture equipment.
- (5) Unusual conditions where, in the judgment of the Administrative Authority, a reasonably adequate supply of water is provided.
- (6) Non-potable water lines as defined in subsection (r) of Section 1003.
- (7) The size and material of irrigation water piping installed outside of any building or structure and separated from the potable water supply by means of an approved airgap or backflow prevention device is not regulated by this Code. The potable water piping system supplying each such irrigation system shall be adequately sized as required elsewhere in this chapter to deliver the full connected demand of both systems.

PERMANENT

NEW SECTION

WAC 51-26-1020 Section 1020—Table 10-1.

TABLE 10-1
Equivalent Fixture Units
 (Includes Combined Hot and Cold Water Demand)

<u>Fixture</u>	Number of Fixture Units	
	<u>Private Use</u>	<u>Public Use</u>
Bar sink.....	1	2
Bathtub (with or without shower over).....	2	4
Bidet.....	2	4
Dental unit or cuspidor.....	—	1
Drinking fountain (each head).....	1	2
Hose bibb or sill cock (standard type).....	3	5
Mobile home (each).....	6	6
Laundry tub or clotheswasher (each pair of faucets) ...	2	4
Lavatory.....	1	2
Lavatory (dental).....	1	1
Lawn sprinklers (standard type, each head).....	1	1
Shower (each head).....	2	4
Sink (bar).....	1	2
Sink or dishwasher.....	2	4
Sink (flushing rim, clinic).....	—	10
Sink (washup, each set of faucets).....	—	2
Sink (washup, circular spray).....	—	4
Urinal (pedestal or similar type).....	—	10
Urinal (stall).....	—	5
Urinal (wall).....	—	5
Urinal (flush tank).....	—	3
Water closet (flush tank).....	3	5
Water closet (flushometer-tank).....	3	5
*Water closet (flushometer valve).....	*	*

Water supply outlets for items not listed above shall be computed at their maximum demand, but in no case less than:

3/8 inch (9.5 mm).....	1	2
1/2 inch (12.7 mm).....	2	4
3/4 inch (19.1 mm).....	3	6
1 inch (25.4 mm).....	6	10

Revise footnote to read as follows:

* See subsection (k) of Section 1009 for method of sizing flushometer valve installations using Table 10-2.

PERMANENT

Revise footnote to read as follows:

* See subsection (k) of Section 1009 for method of sizing flushometer valve installations using Table 10-2.

NEW SECTION

WAC 51-26-1301 General. Section 1301—General.

The regulation of this chapter shall govern the construction, location, and installation of all fuel burning and other water heaters heating potable water, together with all chimneys, vents, and their connectors. All design, construction, and workmanship shall be in conformity with accepted engineering practices and shall be of such character as to secure the results sought to be obtained by this Code. No water heater shall be hereinafter installed which does not comply in all respects with the type and model of each size thereof approved by the Administrative Authority. (For the convenience of users of this Code, a list of generally accepted gas equipment standards is included at the end of Chapter 2 of this Code in Table A.)

Any water system containing storage water heating equipment shall be provided with an approved, listed, adequately sized combination pressure and temperature relief valve, except for listed non-storage instantaneous heaters having an inside diameter of not more than three (3) inches. Each such approved combination pressure and temperature relief valve shall be installed on the water heating device in an approved location based on its listing requirements and the manufacturer's instructions. Each such combination pressure and temperature relief valve shall be provided with a drain as required in Section 1007(e) of the U.P.C. A new listed and approved combination pressure and temperature relief valve shall be installed on all water storage heater equipment replacements.

AMENDATORY SECTION (Amending WSR 93-01-164, filed 12/23/92, effective 7/1/93)

WAC 51-26-1803 Water efficiency standards. Sec. 1803. (a) Standards for Vitreous China Plumbing Fixtures. 1. The following standards shall be adopted as plumbing materials, performance standards, and labeling standards for water closets and urinals. Water closets and urinals shall meet either the ANSI/ASME standards or the CSA standard.

ANSI/ASME A112.19.2M-1990	Vitreous China Plumbing Fixtures
ANSI/ASME A112.19.6-1990	Hydraulic Requirements for Water Closets and Urinals
CSA B45	CSA Standards on Plumbing Fixtures ((with the provisions found in WAC 51-26-1810.))

2. The maximum water use allowed in gallons per flush (gpf) or liters per flush (lpf) for any of the following water closets shall be the following:

Tank-type toilets	1.6 gpf/6.0 lpf
Flushometer-valve toilets	1.6 gpf/6.0 lpf
Flushometer-tank toilets	1.6 gpf/6.0 lpf
Electromechanical hydraulic toilets	1.6 gpf/6.0 lpf

- EXCEPTIONS:
1. Water closets located in day care centers, intended for use by young children, may have a maximum water use of 3.5 gallons per flush or 13.25 liters per flush.
 2. Water closets with bed pan washers may have a maximum water use of 3.5 gallons per flush or 13.25 liters per flush.

3. Blow out bowls, as defined in ANSI/ASME A112.19.2M, Section 5.1.2.3 may have a maximum water use of 3.5 gallons per flush or 13.25 liters per flush.

3. The maximum water use allowed for any urinal shall be 1.0 gallons per flush or 3.78 liters per flush.

4. No urinal or water closet that operates on a continuous flow or continuous flush basis shall be permitted.

5. This section does not apply to fixtures installed before the effective date of this chapter, that are removed and relocated to another room or area of the same building after the effective date of this chapter.

(b) Standards for Plumbing Fixture Fittings. 1. The following standards are adopted as plumbing material, performance requirements, and labeling standards for plumbing fixture fittings. Faucets, aerators, and shower heads shall meet either the ANSI/ASME standard or the CSA standard.

ANSI/ASME A112.18.1M-1989 CSA B125	Plumbing Fixture Fittings Plumbing Fittings((with the provisions of WAC 51-26-1820.))
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2. The maximum water use allowed for any shower head is 2.5 gallons per minute or 9.5 liters per minute.

EXCEPTION: Emergency use showers shall be exempt from the maximum water usage rates.

3. The maximum water use allowed in gallons per minute (gpm) or liters per minute (lpm) for any of the following faucets and replacement aerators is the following:

Lavatory faucets	2.5 gpm/9.5 lpm
Kitchen faucets	2.5 gpm/9.5 lpm
Replacement aerators	2.5 gpm/9.5 lpm
Public lavatory faucets other than metering	0.5 gpm/1.9 lpm

AMENDATORY SECTION (Amending WSR 93-01-164, filed 12/23/92, effective 7/1/93)

WAC 51-26-1810 ((Marking requirements for vitreous china plumbing fixtures. Sec. 1810. (a) The marking requirements for vitreous china plumbing fixtures contained in this section shall apply to fixtures tested in accordance with CSA B45. These requirements are consistent with the marking requirements mandated in ANSI/ASME A112.19.2.

(b) General. 1. Permanent Marking. Each fixture meeting this Standard (or each fixture component, if fixture is comprised of 2 or more components) shall be marked with the manufacturer's name or registered trademark, or in the case of private labeling, of the customer for whom the unit was manufactured. This mark shall be legible, readily identified, and applied so as to be permanent. The mark shall be located so as to be visible after the fixture is installed, except for fixtures built into or for a counter or cabinet.

2. Compliance with Standard. Each fixture shall be marked at a location determined by the manufacturer with the designation CSA B45 to signify compliance with this Standard. This mark need not be permanent, but shall be visible after installation.

3. Other Markings. Markings for specific products shall be per subsections (c) through (e).

PERMANENT

(c) ~~Seconds. All second grade ware shall be indelibly marked by the manufacturer with 2 parallel lines cut through the glaze into the body of the ware at the locations shown in Fig. 39 of ANSI/ASME A112.19.2M 1990. These cuts shall be filled with a bright red permanent marking which is resistant to the action of hot water. No label shall be placed on seconds. Manufacturer's name, trademark, or private brand name or trademark shall be permanently placed on the fixture as described in subsection (b).~~

~~1. All packages containing seconds ("B" grade) shall be clearly identified with 2 red marks adjacent to fixture identification.~~

~~(d) Water Closets. 1. Permanent Markings. Tanks and bowls, when sold as a combination, shall be permanently marked both on the bowl and tank with the manufacturer's name or trademark, or private brand name or trademark.~~

~~2. Compliance with Standard. Marking shall be per subsection (b) 2.~~

~~3. Water Consumption. Water closets, both box and product, shall be labeled in accordance with its consumption classification and the average water consumption in liters for that classification. The fixture label shall be intended for removal by the occupant only, and so state on the label. The minimum wording on the label shall be as follows:~~

~~"This fixture qualifies according to CSA test procedures as a low consumption water closet with an average consumption per flush of 6.0 liters or less."~~

~~4. Model Numbers. At the manufacturer's option, water closets may be marked with model numbers.~~

~~(e) Urinals. 1. Permanent Marking. See subsection (b) 1.~~

~~2. Compliance with Standard. See subsection (b) 2.~~

~~3. Water Consumption. Urinals, both box and product, shall be labeled in accordance with its consumption classification and the average water consumption in liters for that classification (See ANSI/ASME A112.19.2M 1990, paragraphs 5.3.3.1, 5.3.3.2, and 5.3.3.3). The fixture label shall be intended for removal by the occupant only, and so state on the label. The minimum wording on the label shall be as follows:~~

~~"This fixture qualifies according to CSA test procedures as a low consumption urinal with an average consumption per flush of 3.78 liters or less.") Reserved.~~

AMENDATORY SECTION (Amending WSR 93-01-164, filed 12/23/92, effective 7/1/93)

~~WAC 51-26-1820 ((Marking requirements for plumbing fixture fittings. Sec. 1820. (a) The marking requirements for plumbing fixture fittings contained in this section shall apply to fixtures tested in accordance with CSA B125. These requirements are consistent with the marking requirements mandated in ANSI/ASME A112.18.1.~~

~~(b) Product. 1. Each fitting shall bear permanent legible markings to identify the manufacturer. This marking shall be the trade name, trademark, or other mark known to identify the manufacturer. Such marking shall be located where it can be seen after installation.~~

~~2. Each shower head, sink faucet, and lavatory faucet shall be marked "CSA B125" to demonstrate compliance with this Standard. The marking shall be by means of either a permanent mark on the product, a label on the product, or a tag attached to the product.~~

~~(c) Package. 1. The package shall be marked with the manufacturer's name and model number.~~

~~2. The package or any label attached to the package for shower heads, sink faucets, and lavatory faucets shall contain at least the following: "CSA B125" and "9.5 lpm." The flow rate values shall be the actual flow rate or 9.5 lpm (2.5 gpm) in the case of shower heads, sink faucets, and lavatory faucets; or the actual flow rate or 1.9 lpm (0.5 gpm) in the case of public lavatory faucets (other than metering faucets):~~

~~3. For other products, it is recommended that the package or package label be marked with "CSA B125.") Reserved.~~

AMENDATORY SECTION (Amending WSR 93-01-164, filed 12/23/92, effective 7/1/93)

WAC 51-26-1830 Accepted plumbing fixtures and fixture fittings. Sec. 1830. Plumbing fixtures and fixture fittings which are tested in accordance with the standards listed herein and listed by either the International Association of Plumbing and Mechanical Officials or the Canadian Standards Association may be approved by the Administrative Authority for installation. Under Section 201, the Administrative Authority may approve plumbing fixtures and fixture fittings, not listed by either the International Association of Plumbing and Mechanical Officials or the Canadian Standards Association, PROVIDED the products meet the testing, and marking and labeling requirements listed in WAC 51-26-1803((-1810, and-1820)).

The State Building Code Council will publish and distribute a current list of fixtures and fixture fittings that meet the standards listed within Chapter 18 and have been listed with either the International Association of Mechanical and Plumbing Officials or the Canadian Standards Association.

AMENDATORY SECTION (Amending WSR 92-01-066, filed 12/13/91, effective 7/1/92)

WAC 51-26-2200 Chapter 22—Minimum plumbing facilities. WAC 51-26-2200 MINIMUM PLUMBING FACILITIES Table 29-A -MINIMUM PLUMBING FIXTURES is located in Chapter 29 of the Uniform Building Code, as adopted in WAC 51-30-2900.

~~Each building shall be provided with sanitary facilities, including provisions for the physically handicapped as prescribed by the Department having jurisdiction. In the absence of such requirements, this Appendix which provides a guideline for the minimum facilities for the various types of occupancies (see Section 910, Plumbing Fixtures Required, of the Uniform Plumbing Code) may be used. For handicapped requirements ANSI A117.1-1961 (R1971), Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped, may be used.~~

~~The number of occupants shall be that determined by minimum exiting requirements.~~

Type of Building or Occupancy	Water Closets (Fixtures per Person)	Urinals ¹⁰ (Fixtures per Person)	Lavatories (Fixtures per Person)	Bathtubs or Showers (Fixtures per Person)	Drinking Fountains ¹³ (Fixtures per Person)
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Assembly Places	Male		Female ¹⁴		Urinals	Male		Female	
	1-1-15	1-1-15	1-1-15	1-1-15		0-1-0	1 per 40	1 per 40	
Theaters,	1-1-15	1-1-15	1-1-15	1-1-15	0-1-0	1 per 40	1 per 40		
Auditoriums,	2-16-35	3-16-35	1-10-50						
Convention Halls,	3-36-55	4-36-55							
etc. for permanent employee use	Over 55, add 1 fixture for each additional 40 persons.		Add one fixture for each additional 50 males.						

Assembly Places	Male		Female ¹⁴		Urinals	Male		Female	
	1-1-100	3-1-50	1-1-100	1-1-100		1-1-200	1-1-200		
Theaters,	1-1-100	3-1-50	1-1-100	1-1-100	1-1-200	1-1-200			1 per 75 ¹²
Auditoriums,	2-101-200	4-51-100	2-101-200	2-201-400	2-201-400	2-201-400			
Convention Halls,	3-201-400	8-101-200	3-201-400	3-401-750	3-401-750	3-401-750			
etc. for public use	Over 400, add one fixture for each additional 500 males and 2 for each 300 females.		Over 600, add 1 fixture for each additional 300 males.		Over 750, add one fixture for each additional 300 persons.				

Dormitories ⁹ School or Labor	Male		Female ¹⁴		Urinals	Male		Female	
	1 per 10	1 per 8	1 per 25	1 per 25		1 per 12	1 per 12	1 per 8	
	1 per 10	1 per 8	1 per 25	1 per 25	1 per 12	1 per 12	1 per 8		
	Add 1 fixture for each additional 25 males (over 10) and 1 for each additional 20 females (over 8).		Over 150, add 1 fixture for each additional 50 males.		Over 12 add one fixture for each additional 20 males and 1 for each 15 additional females.		For females, add 1 bathtub per 30.		

Dormitories for staff use	Male		Female ¹⁴		Urinals	Male		Female	
	1-1-15	1-1-15	1 per 50	1 per 50		1 per 40	1 per 40		
	1-1-15	1-1-15	1 per 50	1 per 50	1 per 40	1 per 40			
	Over 55, add 1 fixture for each additional 40 persons.								

Dwellings ⁶	Male		Female ¹⁴		Urinals	Male		Female	
	1 per dwelling	1 per dwelling	1 per dwelling or apartment unit	1 per dwelling or apartment unit		1 per dwelling or apartment unit	1 per dwelling or apartment unit		
Single Dwelling	1 per dwelling	1 per dwelling	1 per dwelling or apartment unit						
Multiple Dwelling or Apartment House	1 per dwelling or apartment unit								

PERMANENT

Type of Building or Occupancy	Water Closets (fixtures per Person)	Urinals ¹⁰ (fixtures per Person)	Lavatories (fixtures per Person)	Bathrooms or Showers (fixtures per Person)	Drinking Fountains (fixtures per Person)
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~~Hospital-Waiting rooms~~ 1 per room ~~1 per room~~ 1 per ~~75~~¹²

	Male		Female	
	1-1-15	1-1-15	0-1-0	1 per 40
Hospital for employee use	2-16-35	3-16-35	1-10-50	1 per 40
	3-36-55	4-36-55		

~~Over 55, add 1 fixture for each additional 40 persons.~~
~~Add one fixture for each additional 50 males.~~

~~Hospitals:~~
~~Individual Room~~ 1 per room ~~1 per room~~ 1 per room
~~Word Room~~ 1 per 8 patients ~~1 per 10 patients~~ 1 per 20 patients 1 per ~~75~~¹²

	Male		Female			
	1-1-10	1-1-10	0-1-0	1 per 10		
Industrial Warehouses	2-11-25	2-11-25	Up to 100, 1 per 10 persons	1 shower for each 15 persons exposed to excessive heat or to skin contamination with poisonous, infectious, or irritating material	1 per 75 ¹²	
Workshops, foundries and similar establishments (for employee use)	3-26-50	3-26-50	Over 100, 1 per 15 persons	7,8		
	4-51-75	4-51-75				
	5-76-100	5-76-100				
	Over 100, add 1 fixture for each additional 30 persons.					

	Male		Female			
	1-1-15	1-1-15	0-1-0	1 per 8		
Institutional - Other than Hospitals or Penal Institutions (on floor)	2-16-35	3-16-35	1-10-50	1 per 10	1 per 8	1 per 75 ¹²
	3-36-55	4-36-55				
	Over 55, add 1 fixture for each additional 40 persons.		Add one fixture for each additional 50 males.			

	Male		Female			
	1-1-15	1-1-15	0-1-0	1 per 8		
Institutional - Other than Hospitals or Penal Institutions (on floor) for employee use	2-16-35	3-16-35	1-10-50	1 per 10	1 per 8	1 per 75 ¹²
	3-36-55	4-36-55				
	Over 55, add 1 fixture for each additional 40 persons.		Add one fixture for each additional 50 males.			

	Male		Female			
	1-1-100	1-1-100	1-1-100	1-1-200		
Office or Public Buildings	2-101-200	4-51-400	3-201-400	2-201-400	2-201-400	1 per 75 ¹²
	3-201-400	8-101-200	4-401-600	3-401-750	3-401-750	
	11-201-400					
	Over 400, add one fixture for each additional 500 males and 2 for each 700 females.		Over 600, add 1 fixture for each additional 300 males.	Over 750, add one fixture for each additional 500 persons.		

	Male		Female			
	1-1-15	1-1-15	0-1-9	1 per 40		
Office or Public Buildings - for employee use	2-16-35	3-16-35	Over 55, add 1 fixture for each additional 40 persons.	0-1-9	1 per 40	1 per 40
	3-36-55	4-36-55		1-10-50		1 per 40
						1 per 40

PERMANENT

Type of Building or Occupancy	Water Closets (Fixtures per Person)	Urinals¹⁰ (Fixtures per Person)	Lavatories (Fixtures per Person)	Bathtub or Shower (Fixtures per Person)	Drinking Fountains (Fixtures per Person)
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Penal Institutions for employee use	Male 1:1-15	Female 1:1-15	0:1-9	Male 1 per 40	Female 1 per 40	1 per 75¹²
	2:16-35	3:16-35	1:10-50			
	3:36-55	4:36-55				
	Over 55, add 1 fixture for each additional 10 persons.	Add one fixture for each additional 50 males.				

Penal Institutions for prison use					1 per cell block floor
Cell	1 per cell			1 per cell	
Exercise room	1 per exercise room	1 per exercise room	1 per exercise room	1 per exercise room	1 per exercise room

Restaurants, Pubs and Lounges¹¹	Male 1:1-50	Female 1:1-50	1:1-150	Male 1:1-150	Female 1:1-150
	2:51-150	2:51-150		2:151-200	2:151-200
	3:151-300	4:151-300		3:201-400	3:201-400
	Over 300, add 1 fixture for each additional 200 persons.	Over 150, add 1 fixture for each additional 150 males.		Over 400, add 1 fixture for each additional 400 persons.	

Schools for staff use	Male 1:1-15	Female 1:1-15	1 per 50	Male 1 per 40	Female 1 per 40
All schools	2:16-35	2:16-35			
	3:36-55	3:36-55			
	Over 55, add 1 fixture for each additional 40 persons.				

Schools for student use	Male 1:1-20	Female 1:1-20		Male 1:1-25	Female 1:1-25	1 per 75¹²
Nursery	2:21-50	2:21-50		2:26-50	2:26-50	
	Over 50, add 1 fixture for each additional 50 persons.			Over 50, add 1 fixture for each additional 50 persons.		

Elementary	Male 1 per 30	Female 1 per 25	1 per 75	Male 1 per 35	Female 1 per 35	1 per 75¹²
Secondary	Male 1 per 40	Female 1 per 30	1 per 35	Male 1 per 40	Female 1 per 40	1 per 75¹²
Others (Colleges, Universities, Adult Centers, etc.)	Male 1 per 40	Female 1 per 30	1 per 35	Male 1 per 40	Female 1 per 40	1 per 75¹²

Worship Places Educational and Activities Unit	Male 1 per 125	Female 1 per 75	1 per 125	1 per 2 water closets	1 per 75¹²
	2:126-250	2:76-125			
	3:126-250				

Worship Places Principal Assembly Place	Male 1 per 150	Female 1 per 75	1 per 150	1 per 2 water closets	1 per 75¹²
	2:151-300	2:76-150			
	3:151-300				

PERMANENT

~~Whenever urinals are provided, one (1) water closet less than the number specified may be provided for each urinal installed, except the number of water closets in such cases shall not be reduced to less than two-thirds (2/3) of the minimum specified.~~

- ~~1. The figures shown are based upon one (1) fixture being the minimum required for the number of persons indicated or any fraction thereof.~~
- ~~2. Building categories not shown on this table shall be considered separately by the Administrative Authority.~~
- ~~3. Drinking fountains shall not be installed in toilet rooms.~~
- ~~4. Laundry trays. One (1) laundry tray or one (1) automatic washer standpipe for each dwelling unit or two (2) laundry trays or two (2) automatic washer standpipes, or combination thereof, for each ten (10) apartments. Kitchen sink, one (1) for each dwelling or apartment unit.~~
- ~~5. Deleted.~~
- ~~6. As required by ANCI 24.1 1968, Sanitation in Places of Employment.~~
- ~~7. Where there is exposure to skin contamination with poisonous, infectious, or irritating materials, provide one (1) lavatory for each five (5) persons.~~
- ~~8. Twenty-four (24) linear inches (609.6 mm) of wash sink or eighteen (18) inches (457.2 mm) of a circular basin, when provided with water outlets for each space, shall be considered equivalent to one (1) lavatory.~~
- ~~9. Laundry trays, one (1) for each fifty (50) persons. Stop sinks, one (1) for each hundred (100) persons.~~
- ~~10. General. In applying this schedule of facilities, consideration must be given to the accessibility of fixtures. Conformity purely on a numerical basis may not result in an installation suited to the need of the individual establishment. For example, schools should be provided with toilet facilities on each floor having classrooms. Temporary workmen facilities, one (1) water closet and one (1) urinal for each thirty (30) workmen.~~
 - ~~a. Surrounding materials, wall and floor space to a point two (2) feet (0.6 m) in front of urinal lip and four (4) feet (1.2 m) above the floor, and at least two (2) feet (0.6 m) to each side of the urinal shall be lined with non-absorbent materials.~~
 - ~~b. Trough urinals are prohibited.~~
- ~~11. A restaurant is defined as a business which sells food to be consumed on the premises.~~
 - ~~a. The number of occupants for a drive-in restaurant shall be considered as equal to the number of parking stalls.~~
 - ~~b. Employee toilet facilities are not to be included in the above restaurant requirements. Hand washing facilities must be available in the kitchen for employees.~~
- ~~12. Where food is consumed indoors, water stations may be substituted for drinking fountains. Theatres, auditoriums, dormitories, offices, or public buildings for use by more than six (6) persons shall have one (1) drinking fountain for the first seventy-five (75) persons and one (1) additional fountain for each one hundred and fifty (150) persons thereafter.~~
- ~~13. There shall be a minimum of one (1) drinking fountain per occupied floor in schools, theatres, auditoriums, dormitories, offices or public building.~~
- ~~14. The total number of water closets for females shall be at least equal to the total number of water closets and urinals required for males.~~

PERMANENT

**WSR 95-01-125
PERMANENT RULES
BUILDING CODE COUNCIL**

[Filed December 21, 1994, 11:34 a.m., effective June 30, 1995]

Date of Adoption: November 18, 1994.

Purpose: To amend and adopt the 1994 Uniform Fire Code and the 1994 Uniform Fire Code Standards, published by the International Fire Code Institute, chapters 51-34 and 51-35 WAC.

Statutory Authority for Adoption: Chapter 19.27 RCW.

Pursuant to notice filed as WSR 94-16-113 on August 2, 1994; and WSR 94-18-093 on September 2, 1994.

Effective Date of Rule: June 30, 1995.

December 21, 1994
Gene Colin
Chair

**Chapter 51-34 WAC
STATE BUILDING CODE ADOPTION AND
AMENDMENT OF THE 1994 EDITION OF THE
UNIFORM FIRE CODE**

NEW SECTION

WAC 51-34-001 Authority. These rules are adopted under the authority of chapter 19.27 RCW.

NEW SECTION

WAC 51-34-002 Purpose. The purpose of these rules is to implement the provisions of chapter 19.27 RCW, which provides that the State Building Code Council shall maintain the State Building Code in a status which is consistent with the purpose as set forth in RCW 19.27.020. In maintaining the codes the Council shall regularly review updated versions of the codes adopted under the act, and other pertinent information, and shall amend the codes as deemed appropriate by the Council.

NEW SECTION

WAC 51-34-003 Uniform Fire Code. The 1994 edition of the Uniform Fire Code, including Appendix II-F, Protected Aboveground Tanks For Motor Vehicle Fuel-Dispensing Stations Outside Buildings, published by the International Fire Code Institute is hereby adopted by reference with the following additions, deletions, and exceptions.

NEW SECTION

WAC 51-34-007 Exceptions. The exceptions and amendments to the Uniform Fire Code contained in the provisions of chapter 19.27 RCW shall apply in case of conflict with any of the provisions of these rules.

NEW SECTION

WAC 51-34-008 Implementation. The Uniform Fire Code adopted by chapter 51-34 Washington Administrative Code (WAC) shall become effective in all counties and cities of this state on June 30, 1995.

NEW SECTION

WAC 51-34-0200 Article 2—Definitions and abbreviations.

NEW SECTION

WAC 51-34-0206 Section 206—E.

EARLY SUPPRESSION FAST-RESPONSE (ESFR) SPRINKLER is a sprinkler listed for early suppression fast-response performance.

ELECTRIC BLASTING CAP is a shell containing a charge of detonating compound designed to be fired by an electric current.

ELECTRICAL CODE is the National Electrical Code promulgated by the National Fire Protection Association, as adopted in WAC 296-46, or the locally adopted Electrical Code.

ELECTRICAL FIRING UNIT is the source of electrical current used to ignite electric matches. Generally, the firing unit will have switches to control the routing of

the current to various firework items and will have a test circuit and warning indicators.

ELECTROSTATIC FLUIDIZED BED is a container holding powder coating material which is aerated from below so as to form an air-supported expanded cloud of such material which is electrically charged with a charge opposite to the charge of the object to be coated. Such object is transported through the container immediately above the charged and aerated materials in order to be coated.

ENCAPSULATED is a method of packaging consisting of a plastic sheet completely enclosing the sides and top of a pallet load. The term encapsulated does not apply to banding or individual plastic-enclosed items inside a large nonplastic-enclosed container.

EXCESS FLOW CONTROL is a fail-safe system designed to shut off flow due to a rupture in pressurized piping systems.

EXCESS FLOW VALVE is a valve inserted into a compressed gas cylinder, portable tank or stationary tank that is designed to positively shut off the flow of gas in the event that its predetermined flow is exceeded.

EXECUTIVE BODY is the governing body of the jurisdiction adopting this code.

EXHAUSTED ENCLOSURE is a noncombustible enclosure which consists of a top, a back and two sides. The enclosure provides a means of local exhaust, but lacks the isolated environment provided by gas cabinets or gas rooms. Such enclosures include laboratory hoods, exhaust fume hoods and similar appliances and equipment used to locally retain and exhaust the gases, fumes, vapors and mists that could be released. Rooms or areas provided with general ventilation, in themselves, do not constitute exhausted enclosures. See the definition of GAS ROOM.

EXIT is a continuous and unobstructed means of egress to a public way and shall include intervening aisles, doors, doorways, gates, corridors, exterior exit balconies, ramps, stairways, pressurized enclosures, horizontal exits, exit passageways, exit courts and yards.

EXIT COURT is a yard or court providing access to a public way for one or more required exits.

EXIT PASSAGEWAY is an enclosed exit connecting a required exit or exit court with a public way.

EXPANDED PLASTIC is a foamed or cellular plastic material having a reduced density based on the presence of numerous small cavities or cells dispersed throughout the material.

EXPLOSION is an effect produced by the sudden violent expansion of gases, which may be accompanied by a shock wave or disruption, or both, of enclosing materials or structures. An explosion could result from

1. Chemical changes such as rapid oxidation, deflagration or detonation, decomposition of molecules and runaway polymerization (usually detonations);
2. Physical changes such as pressure tank ruptures; or
3. Atomic changes (nuclear fission or fusion).

EXPLOSIVE is

1. A chemical that causes a sudden, almost instantaneous release of pressure, gas and heat when subjected to sudden shock, pressure, or high temperatures, or

2. A material or chemical, other than a blasting agent, that is commonly used or intended to be used for the purpose of producing an explosive effect and is regulated by Article 77.

EXPLOSIVE MATERIALS are explosives, blasting agents and detonators including, but not limited to, dynamite and other high explosives; slurries, emulsions and water gels; black powder and pellet powder; initiating explosives; detonators or blasting caps; safety fuses; squibs; detonating cord; igniter cord; igniters and Class B (Explosives, Division 1.3 and some Division 1.2-see Appendix VI-E) special fireworks.

EXTENSION CORD is a portable flexible cord of any length which has one male connector on one end and one or more female connectors on the other, and no built-in overcurrent protection.

EXTRAHIGH-RACK COMBUSTIBLE STORAGE is storage on racks of Class I, II, III or IV commodities which exceed 40 feet (121 920 mm) in height and storage on racks of high-hazard commodities which exceed 30 feet (9144 mm) in height.

NEW SECTION**WAC 51-34-0216 Section 216—O.**

OCCUPANCY is the purpose for which a building or part thereof is used or intended to be used.

OCCUPANCY CLASSIFICATION. For the purpose of this code, certain occupancies are defined as follows:

Group A Occupancies:

Group A Occupancies include the use of a building or structure, or a portion thereof, for the gathering together of 50 or more persons for purposes such as civic, social or religious functions; recreation, education or instruction; food or drink consumption; or awaiting transportation. A room or space used for assembly purposes by less than 50 persons and accessory to another occupancy shall be included as a part of that major occupancy. Assembly occupancies shall include the following:

Division 1. A building or portion of a building having an assembly room with an occupant load of 1,000 or more and a legitimate stage.

Division 2. A building or portion of a building having an assembly room with an occupant load of less than 1,000 and a legitimate stage.

Division 2.1. A building or portion of a building having an assembly room with an occupant load of 300 or more without a legitimate stage, including such buildings used for educational purposes and not classed as Group B or E Occupancies.

Division 3. A building or portion of a building having an assembly room with an occupant load of less than 300

without a legitimate stage, including such buildings used for educational purposes and not classed as Group B or E Occupancies.

Division 4. Stadiums, reviewing stands and amusement park structures not included within other Group A Occupancies.

Group B Occupancies:

Group B Occupancies shall include buildings, structures, or portions thereof, for office, professional or service-type transactions, which are not classified as Group H Occupancies. Such occupancies include occupancies for the storage of records and accounts, and eating and drinking establishments with an occupant load of less than 50. Business occupancies shall include, but not be limited to, the following:

1. Animal hospitals, kennels, pounds.
2. Automobile and other motor vehicle showrooms.
3. Banks.
4. Barber shops.
5. Beauty shops.
6. Car washes.
7. Civic administration.
8. Outpatient clinic and medical offices (where five or less patients in a tenant space are incapable of unassisted self-preservation).
9. Dry cleaning pick-up and delivery stations and self-service.
10. Educational occupancies above the 12th grade.
11. Electronic data processing.
12. Fire stations.
13. Florists and nurseries.
14. Laboratories—testing and research.
15. Laundry pick-up and delivery stations and self-service.
16. Police stations.
17. Post offices.
18. Print shops.
19. Professional services such as attorney, dentist, physician, engineer.
20. Radio and television stations.
21. Telephone exchanges.

Group E Occupancies:

Group E Occupancies shall be:

Division 1. Any building used for educational purposes through the 12th grade by 50 or more persons for more than 12 hours per week or four hours in any one day.

Division 2. Any building used for educational purposes through the 12th grade by less than 50 persons for more than 12 hours per week or four hours in any one day.

Division 3. Any building or portion thereof used for day-care purposes for more than six persons.

EXCEPTION: Family child day care homes as defined in WAC 51-30, Uniform Building Code, shall be considered Group R, Division 3 Occupancies.

Group F Occupancies:

Group F Occupancies shall include the use of a building or structure, or a portion thereof, for assembling, disassembling, fabricating, finishing, manufacturing, packaging, repair or processing operations that are not classified as Group H Occupancies. Factory and industrial occupancies shall include the following:

Division 1. Moderate-hazard factory and industrial occupancies shall include factory and industrial uses which are not classified as Group F, Division 2 Occupancies, but are not limited to facilities producing the following:

1. Aircraft.
2. Appliances.
3. Athletic equipment.
4. Automobiles and other motor vehicles.
5. Bakeries.
6. Alcoholic beverages.
7. Bicycles.
8. Boats.
9. Brooms and brushes.
10. Business machines.
11. Canvas or similar fabric.
12. Cameras and photo equipment.
13. Carpets and rugs, including cleaning.
14. Clothing.
15. Construction and agricultural machinery.
16. Dry cleaning and dyeing.
17. Electronics assembly.
18. Engines, including rebuilding.
19. Photographic film.
20. Food processing.
21. Furniture.
22. Hemp products.
23. Jute products.
24. Laundries.
25. Leather products.
26. Machinery.
27. Metal.
28. Motion pictures and television filming and videotaping.
29. Musical instruments.
30. Optical goods.

31. Paper mills or products.
32. Plastic products.
33. Printing or publishing.
34. Recreational vehicles.
35. Refuse incineration.
36. Shoes.
37. Soaps and detergents.
38. Tobacco.
39. Trailers.
40. Wood, distillation.
41. Millwork (sash and door).
42. Woodworking, cabinet.

Division 2. Low-hazard factory and industrial occupancies shall include facilities producing noncombustible or nonexplosive materials which, during finishing, packing or processing, do not involve a significant fire hazard, including, but not limited to, the following:

1. Nonalcoholic beverages.
2. Brick and masonry.
3. Ceramic products.
4. Foundries.
5. Glass products.
6. Gypsum.
7. Ice.
8. Steel products—fabrication and assembly.

Group H Occupancies:

Group H Occupancies shall include buildings or structures, or portions thereof, that involve the manufacturing, processing, generation or storage of materials that constitute a high fire, explosion or health hazard. Group H Occupancies shall be:

Division 1. Occupancies with a quantity of material in the building in excess of those listed in Table 8001.13-A, which present a high explosion hazard, including, but not limited to:

1. Explosives, blasting agents, fireworks and black powder.

EXCEPTION: Storage and the use of pyrotechnic special effect materials in motion picture, television, theatrical and group entertainment production when under permit as required by Section 7801.3.2. The time period for storage shall not exceed 90 days.

2. Unclassified detonatable organic peroxides.
3. Class 4 oxidizers.
4. Class 4 or Class 3 detonatable unstable (reactive) materials.

Division 2. Occupancies where combustible dust is manufactured, used or generated in such a manner that concentrations and conditions create a fire or explosion

potential; occupancies with a quantity of material in the building in excess of those listed in Table 8001.13-A, which present a moderate explosion hazard or a hazard from accelerated burning, including, but not limited to:

1. Class I organic peroxides.
2. Class 3 nondetonatable unstable (reactive) materials.
3. Pyrophoric gases.
4. Flammable or oxidizing gases.
5. Class I, II or III-A flammable or combustible liquids which are used or stored in normally open containers or systems, or in closed containers or systems pressurized at more than 15-pounds-per-square-inch (103.4 kPa) gage.

EXCEPTION: Aerosols.

6. Class 3 oxidizers.
7. Class 3 water-reactive materials.

Division 3. Occupancies where flammable solids, other than combustible dust, are manufactured, used or generated.

Division 3 Occupancies also include uses in which the quantity of material in the building in excess of those listed in Table 8001.13-A, presents a high physical hazard, including, but not limited to:

1. Class II, III or IV organic peroxides.
2. Class 1 or 2 oxidizers.
3. Class I, II or III-A flammable or combustible liquids which are used or stored in normally closed containers or systems and containers or systems pressurized at 15-pounds-per-square-inch (103.4 kPa) gage or less, and aerosols.
4. Class III-B combustible liquids.
5. Pyrophoric liquids or solids.
6. Class 1 or 2 water-reactive materials.
7. Flammable solids in storage.
8. Flammable or oxidizing cryogenic fluids (other than inert).
9. Class 1 unstable (reactive) gas or Class 2 unstable (reactive) materials.

Division 4. Repair garages not classified as Group S, Division 3 Occupancies.

Division 5. Aircraft repair hangars not classified as Group S, Division 5 Occupancies and heliports.

Division 6. Semiconductor fabrication facilities and comparable research and development areas in which hazardous production materials (HPM) are used and the aggregate quantity of materials are in excess of those listed in Table 8001.13-A or 8001.13-B.

Division 7. Occupancies having quantities of materials in excess of those listed in Table 8001.13-B that are health hazards, including:

1. Corrosives.
2. Toxic and highly toxic materials.
3. Irritants.

4. Sensitizers.
5. Other health hazards.

Group I Occupancies:

Group I Occupancies shall be:

Division 1.1. Nurseries for the full-time care of children under the age of six (each accommodating more than five children).

Hospitals, sanitariums, nursing homes with nonambulatory patients and similar buildings (each accommodating more than five patients).

Division 1.2. Health-care centers for ambulatory patients receiving outpatient medical care which may render the patient incapable of unassisted self-preservation (each tenant space accommodating more than five such patients).

Division 2. Nursing homes for ambulatory patients, homes for children six years of age or over (each accommodating more than five patients or children).

Division 3. Mental hospitals, mental sanitariums, jails, prisons, reformatories and buildings where personal liberties of inmates are similarly restrained.

EXCEPTION: Group I Occupancies shall not include buildings used only for private residential purposes for a family group.

Group LC Occupancies:

Group LC Occupancies shall be:

Group LC Occupancies shall include buildings, structures, or portions thereof, used for the business of providing licensed care to clients in one of the following categories regulated by either the Washington Department of Health or the Department of Social and Health Services:

1. Adult family home.
2. Adult residential rehabilitation facility.
3. Alcoholism intensive inpatient treatment service.
4. Alcoholism detoxification service.
5. Alcoholism long term treatment service.
6. Alcoholism recovery house service.
7. Boarding home.
8. Group care facility.
9. Group care facility for severely and multiple handicapped children.
10. Residential treatment facility for psychiatrically impaired children and youth.

EXCEPTION: Where the care provided at an alcoholism detoxification service is acute care similar to that provided in a hospital, the facility shall be classified as a Group I, Division 1.1 hospital.

Group M Occupancies:

Group M Occupancies shall include buildings, structures, or portions thereof, used for the display and sale of merchandise, and involving stocks of goods, wares or merchandise incidental to such purposes and accessible to

the public. Mercantile occupancies shall include, but are not limited to, the following:

1. Department stores.
2. Drug stores.
3. Markets.
4. Paint stores without bulk handling.
5. Shopping centers.
6. Sales rooms.
7. Wholesale and retail stores.

Group R Occupancies:

Group R Occupancies shall be:

Division 1. Hotels and apartment houses. Congregate residences (each accommodating more than 10 persons).

Division 2. Not used.

Division 3. Dwellings, family child day care homes as defined in WAC 51-30, Uniform Building Code, and lodging houses. Congregate residences (each accommodating 10 persons or less).

Group S Occupancies:

Group S Occupancies shall include the use of a building or structure, or a portion thereof, for storage not classified as a hazardous occupancy. Storage occupancies shall include the following:

Division 1. Moderate hazard storage occupancies shall include buildings or portions of buildings used for storage of combustible materials that are not classified as a Group S, Division 2 or as a Group H Occupancy.

Division 2. Low-hazard storage occupancies shall include buildings, structures, or portions thereof, used for storage of noncombustible materials, such as products on wood pallets or in paper cartons with or without single-thickness divisions, or in paper wrappings and shall include ice plants, power plants and pumping plants. Such products may have a negligible amount of plastic trim such as knobs, handles or film wrapping. Low-hazard storage occupancies shall include, but are not limited to, storage of the following items:

1. Beer or wine (in metal, glass or ceramic containers).
2. Cement in bags.
3. Cold storage and creameries.
4. Dairy products in nonwax-coated paper containers.
5. Dry-cell batteries.
6. Dryers.
7. Dry pesticides in a building not classified as a Group H Occupancy.
8. Electrical coils.
9. Electrical insulators.
10. Electrical motors.
11. Empty cans.

12. Foods in noncombustible containers.
13. Fresh fruits in nonplastic trays or containers.
14. Frozen foods.
15. Glass bottles (empty or filled with nonflammable liquids).
16. Gypsum board.
17. Inert pigments.
18. Meats.
19. Metal cabinets.
20. Metal furniture.
21. Oil-filled distribution transformers.
22. Stoves.
23. Washers.

Division 3. Division 3 Occupancies shall include repair garages where work is limited to exchange of parts and maintenance requiring no open flame or welding, motor vehicle fuel-dispensing stations, and parking garages not classified as Group S, Division 4 open parking garages or Group U private garages.

Division 4. Open parking garages as set forth in the Building Code. (See U.B.C. Section 311.)

Division 5. Aircraft hangars where work is limited to exchange of parts and maintenance requiring no open flame or welding and helistops.

Group U Occupancies:

Group U Occupancies shall include buildings or structures, or portions thereof, and shall be:

Division 1. Private garages, carports, sheds and agricultural buildings.

EXCEPTION: Where applicable in accordance with the Building Code (see U.B.C. Section 101.3 for agricultural buildings. See also U.B.C. Appendix Chapter 3).

Division 2. Fences over 6 feet (1829 mm) high, tanks and towers.

OIL-BURNING EQUIPMENT is an oil burner of any type together with its tank, piping, wiring, controls and related devices. Oil-burning equipment includes oil burners, oil-fired units and heating and cooking appliances but does not include equipment exempted by Section 6101.

OIL-FIRED UNIT is a heating appliance equipped with one or more oil burners and the necessary safety controls, electrical equipment and related equipment manufactured for assembly as a complete unit. Oil-fired unit does not include kerosene stoves or oil stoves.

OPEN BURNING is the burning of a bonfire, rubbish fire or other fire in an outdoor location where fuel being burned is not contained in an incinerator, outdoor fireplace, barbecue grill or barbecue pit. See WAC Chapter 173-425.

OPEN-AIR GRANDSTANDS and BLEACHERS are seating facilities which are located so that the side toward which the audience faces is unroofed and without an enclosing wall. See also Section 203 for BLEACHERS.

OPERATING LINE is a group of separated operating buildings of specific arrangement used in the assembly, modification, reconditioning, renovation, maintenance, inspection, surveillance, testing or manufacturing of explosives.

ORGANIC COATING is a liquid mixture of binders, such as alkyd, nitrocellulose, acrylic or oil and flammable and combustible solvents such as hydrocarbon, ester, ketone or alcohol, which when spread in a thin film converts to a durable protective and decorative finish.

ORGANIC PEROXIDE is an organic compound that contains the bivalent -O-O- structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms have been replaced by an organic radical. Organic peroxides can present an explosion hazard (detonation or deflagration) or they can be shock sensitive. They can also decompose into various unstable compounds over an extended period of time.

OSHA is the Occupational Safety and Health Administration.

OTHER HEALTH HAZARD MATERIAL is a hazardous material which affects target organs of the body, including, but not limited to, those materials which produce liver damage, kidney damage, damage to the nervous system, act on the blood to decrease hemoglobin function, deprive the body tissue of oxygen, or affect reproductive capabilities, including mutations (chromosomal damage) or teratogens (effects on fetuses).

OWNER includes persons having vested or contingent interest in the property in question and their duly authorized agents or attorneys, purchasers, devisees and fiduciaries.

OXIDIZER is a chemical other than a blasting agent or explosive that initiates or promotes combustion in other materials, thereby causing fire either of itself or through the release of oxygen or other gases.

NEW SECTION

WAC 51-34-0219 Section 219—R.

RACK STORAGE is a combination of vertical, horizontal and diagonal members that support stored materials. Racks are allowed to be fixed or portable. See Article 81.

RADIATION SOURCE MATERIALS, COMMON, are radioisotopes, other than fissile materials, commonly used in various medical and industrial testing and measuring situations.

RADIOACTIVE MATERIAL is a material or combination of materials that spontaneously emits ionizing radiation.

RAILWAY is a steam, electric or other railroad which carries passengers for hire.

REACTIVE MATERIAL is a material which can enter into a hazardous chemical reaction with other stable or unstable materials.

READY BOX is a storage container for aerial shells at the site of a fireworks display.

RECEPTACLE is an electrical outlet designed for use with a plug or connector for the purpose of supplying electrical power to an appliance.

RECREATIONAL FIRE is the burning of materials other than rubbish where fuel being burned is not contained in an incinerator, outdoor fireplace, barbecue grill or barbecue pit and with a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking or similar purposes. See WAC Chapter 173-425.

REDUCED FLOW VALVE is a valve equipped with a restricted flow orifice and inserted into a compressed gas cylinder, portable tank or stationary tank that is designed to reduce the maximum flow from the valve under full flow conditions. The maximum flow rate from the valve is determined with the valve allowed to flow to atmosphere with no other piping or fittings attached.

REFINERY is a plant in which flammable or combustible liquids are produced on a commercial scale from crude petroleum, natural gasoline or other hydrocarbon sources.

REFRIGERANT is the fluid used for heat transfer in a refrigerating system; the refrigerant absorbs heat and transfers it at a higher temperature and a higher pressure, usually with a change of state.

REMOTE PUMPING SYSTEM. See **PRESSURE DELIVERY SYSTEM.**

REMOTE SOLVENT RESERVOIR is a liquid solvent container which is completely enclosed against evaporative losses to the atmosphere during nonuse periods, except for a solvent return opening not larger than 16 square inches (10 323 mm²). Such return allows pump-cycled used solvent to drain back into the reservoir from a separate solvent sink or work area.

The reservoir is allowed to be integral to the parts-cleaning machine it services or separate and connected by hoses, tubing, piping or similar devices.

REPAIR is the reconstruction or renewal of any part of an existing building for the purpose of its maintenance.

RETAIL DISPLAY AREA is the area of a Group M Occupancy open for the purpose of viewing or purchasing merchandise offered for sale. Individuals in such establishments are free to circulate among the items offered for sale which are typically displayed on shelves, racks or the floor.

RETAIL SALES OCCUPANCY is the occupancy or use of a building or structure or any portion thereof for displaying, selling or buying of goods, wares or merchandise.

REVIEWING STANDS are elevated platforms accommodating not more than 50 persons. Seating facilities, if provided, are normally in the nature of loose chairs. Reviewing stands accommodating more than 50 persons shall be regulated as grandstands.

ROOM. See **LIQUID STORAGE ROOM** and see Section 7903.2.3 for construction requirements for rooms where flammable or combustible liquids are used, dispensed or mixed in quantities exceeding exempt amounts.

RUBBISH is waste material including, but not limited to, garbage, waste paper and debris from construction or demolition.

NEW SECTION

WAC 51-34-0223 Section 223—V.

VAPOR AREA is an area containing flammable vapors. The chief is authorized to determine the extent of the vapor area, taking into consideration the characteristics of the liquid, the degree of sustained ventilation and the nature of operations.

VAPOR BALANCE SYSTEM is a system designed to capture and retain, without processing, vapors displaced during the filling of tanks and containers or during the fueling of vehicles.

VAPOR PRESSURE is the pressure exerted by a volatile fluid as determined by U.F.C. Standard 2-5.

VAPOR-PROCESSING SYSTEM is a system designed to capture and process vapors displaced during filling operations at motor vehicle fuel-dispensing stations, bulk plants or terminals by use of mechanical or chemical means. Examples include systems using blower-assist for capturing vapors and refrigeration absorption and combustion systems for processing vapors.

VAPOR-PROCESSING UNIT is the actual vapor-processing equipment in one contiguous unit in an isolated or separated area. Vapor-processing units do not include in-line flame arresters, in-line fire checks, pressure vacuum valves, in-line check valves or flow regulators at the dispenser.

VAPOR-RECOVERY SYSTEM is a system designed to capture and retain, without processing, vapors displaced during filling operations at motor vehicle fuel-dispensing stations, bulk plants or terminals. Examples include balanced-pressure vapor displacement systems and vacuum-assist systems without vapor processing.

VAPOR-TRANSFER EQUIPMENT is the components of a vapor-processing system, a vapor balance system, or other approved system which is designed to capture, transfer and prevent emissions of vapors or liquids displaced during filling of tanks or containers or during the fueling of vehicles. Examples include the vapor/liquid-dispensing nozzle, vapor-transfer lines and tank vents.

VEHICLE FUELING APPLIANCE is a listed natural gas compressor package, not containing storage, designed for the unattended dispensing of natural gas into the fuel tanks of motor vehicles.

VENT-RELEASE CONTAINER is an aerosol container which is designed to provide a controlled venting of the base product and propellant at a nominal hydrostatic pressure of less than 210 psig (1447 kPa).

NEW SECTION

WAC 51-34-0900 Article 9—Fire department access and water supply.

NEW SECTION

WAC 51-34-0901 Section 901—General.

901.1 Scope. Fire department access and water supply shall be in accordance with Article 9.

For fire safety during construction, alteration or demolition of a building, see Article 87.

901.2 Permits and Plans.

901.2.1 Permits. A permit is required to use or operate fire hydrants or valves intended for fire-suppression purposes which are installed on water systems and accessible to public highways, alleys or private ways open to or generally used by the public. See Section 105, Permit f.1.

EXCEPTION: A permit is not required for persons employed and authorized by the water company which supplies the system to use or operate fire hydrants or valves.

901.2.2 Plans.

901.2.2.1 Fire hydrant systems. Plans and specifications for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction.

901.3 Timing of Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.

EXCEPTION: When alternate methods of protection, as approved by the chief, are provided, the requirements of Section 901.3 may be modified or waived.

901.4 Required Marking of Fire Apparatus Access Roads, Addresses and Fire Protection Equipment.

901.4.1 General. Marking of fire apparatus access roads, addresses and fire protection equipment shall be in accordance with Section 901.4.

901.4.2 Reserved.

901.4.3 Fire protection equipment and fire hydrants. Fire-protection equipment and fire hydrants shall be clearly identified in a manner approved by the chief to prevent obstruction by parking and other obstructions.

When required by the chief, hydrant locations shall be identified by the installation of reflective markers.

See also Section 1001.7.

901.4.4 Premises identification. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Numbers shall contrast with their background.

901.4.5 Street or Road Signs. When required by the chief, streets and roads shall be identified with approved signs.

901.5 Obstruction and Control of Fire Apparatus Access Roads and Fire Protection Equipment. See Sections 902.2.4 and 1001.7.

901.6 Fire Protection in Recreational Vehicle, Mobile Home and Manufactured Housing Parks, Sales Lots and Storage Lots. Recreational vehicle, mobile home and manufactured housing parks, sales lots and storage lots shall provide and maintain fire hydrants and access roads in accordance with Sections 902 and 903.

EXCEPTION: Recreational vehicle parks located in remote areas shall be provided with protection and access roadways as required by the chief.

NEW SECTION

WAC 51-34-0902 Section 902—Fire department access.

902.1 General. Fire apparatus access roads shall be provided and maintained in accordance with locally adopted street, road, and access standards.

902.2.4 Obstruction and control of fire apparatus access.

902.2.4.1 General. Entrances to roads, trails or other accessways which have been closed with gates and barriers in accordance with Section 902.2.4.2 shall not be obstructed by parked vehicles.

902.2.4.2 Closure of accessways. The chief is authorized to require the installation and maintenance of gates or other approved barricades across roads, trails or other accessways, not including public streets, alleys or highways.

When required, gates and barricades shall be secured in an approved manner. Roads, trails and other accessways which have been closed and obstructed in the manner prescribed by Section 902.2.4.2 shall not be trespassed upon or used unless authorized by the owner and the chief.

EXCEPTION: Public officers acting within their scope of duty.

Locks, gates, doors, barricades, chains, enclosures, signs, tags or seals which have been installed by the fire department or by its order or under its control shall not be removed, unlocked, destroyed, tampered with or otherwise molested in any manner.

EXCEPTION: When authorized by the chief or performed by public officers acting within their scope of duty.

902.3 Access to Building Openings.

902.3.1 Required access. Exterior doors and openings required by this code or the Building Code shall be maintained readily accessible for emergency access by the fire department.

An approved access walkway leading from fire apparatus access roads to exterior openings required by this code or the Building Code shall be provided when required by the chief.

902.3.2 Maintenance of exterior doors and openings. Exterior doors or their function shall not be eliminated without prior approval by the chief. Exterior doors which have been rendered nonfunctional and which retain a functional door exterior appearance shall have a sign affixed to the exterior side of such door stating **THIS DOOR**

BLOCKED. The sign shall consist of letters having principal stroke of not less than $\frac{3}{4}$ inch (19.1 mm) wide and at least 6 inches (152.4 mm) high on a contrasting background. Required fire department access doors shall not be obstructed or eliminated. See Section 1207 for exit doors.

For access doors for high-piled combustible storage, see Section 8102.5.2.

902.3.3 Shaftway marking. Exterior windows in buildings used for manufacturing or for storage purposes which open directly on shaftways or other vertical means of communication between two or more floors shall be plainly marked with the word **SHAFTWAY** in red letters at least 6 inches (152.4 mm) high on a white background. Warning signs shall be easily discernible from the outside of the building. Door and window openings on such shaftways from the interior of the building shall be similarly marked with the word **SHAFTWAY** in a manner which is easily visible to anyone approaching the shaftway from the interior of the building, unless the construction of the partition surrounding the shaftway is of such distinctive nature as to make its purpose evident at a glance.

902.4 Key boxes. When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the chief is authorized to require a key box to be installed in an accessible location. The key box shall be of a type approved by the chief and shall contain keys to gain necessary access as required by the chief.

NEW SECTION

WAC 51-34-1000 Article 10—Fire-protection systems and equipment.

NEW SECTION

WAC 51-34-1003 Section 1003—Fire-extinguishing systems.

1003.1 Installation Requirements.

1003.1.1 General. Fire-extinguishing systems shall be installed in accordance with the Building Code and Section 1003.

Fire hose threads used in connection with fire-extinguishing systems shall be national standard hose thread or as approved by the chief.

The location of fire department hose connections shall be approved by the chief.

In buildings used for high-piled combustible storage, fire protection shall be in accordance with Article 81.

1003.1.2 Standards. Fire-extinguishing systems shall comply with the Building Code. (See U.B.C. Standard 9-1.)

EXCEPTIONS:

1. Automatic fire-extinguishing systems not covered by the Building Code shall be approved and installed in accordance with approved standards.
2. Automatic sprinkler systems may be connected to the domestic water-supply main when approved by the building official, provided the domestic water supply is of adequate pressure, capacity and sizing for the combined domestic and sprinkler requirements. In such case, the sprinkler system connection shall be made between the public water main or

meter and the building shutoff valve, and there shall not be intervening valves or connections. The fire department connection may be omitted when approved by the chief.

3. Automatic sprinkler systems in Group R Occupancies four stories or less may be in accordance with the Building Code requirements for residential sprinkler systems. (See U.B.C. Standard 9-3.)

1003.1.3 Modifications. When residential sprinkler systems as set forth in the Building Code (see U.B.C. Standard 9-3) are provided, exceptions to, or reductions in, Building Code requirements based on the installation of an automatic fire-extinguishing system are not allowed.

1003.2 Required Installations.

1003.2.1 General. An automatic fire-extinguishing system shall be installed in the occupancies and locations as set forth in Section 1003.2.

For provisions on special hazards and hazardous materials, see Section 1001.9 and Articles 79, 80 and 81.

1003.2.2 All occupancies except Group R, Division 3 and Group U Occupancies. Except for Group R, Division 3 and Group U Occupancies, an automatic sprinkler system shall be installed:

1. In every story or basement of all buildings when the floor area exceeds 1,500 square feet (139.4 m²) and there is not provided at least 20 square feet (1.86 m²) of opening entirely above the adjoining ground level in each 50 lineal feet (15 240 mm) or fraction thereof or exterior wall in the story or basement on at least one side of the building. Openings shall have a minimum dimension of not less than 30 inches (762 mm). Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that firefighting or rescue cannot be accomplished from the exterior.

When openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet (22 860 mm) from such openings, the story shall be provided with an approved automatic sprinkler system, or openings as specified above shall be provided on at least two sides of an exterior wall of the story.

If any portion of a basement is located more than 75 feet (22 860 mm) from openings required in Section 1003.2.2, the basement shall be provided with an approved automatic sprinkler system.

2. At the top of rubbish and linen chutes and in their terminal rooms. Chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Sprinkler heads shall be accessible for servicing.

3. In rooms where nitrate film is stored or handled. See also Article 33.

4. In protected combustible fiber storage vaults as defined in Article 2. See also Article 28.

5. Throughout all buildings with a floor level with an occupant load of 30 or more that is located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access.

EXCEPTIONS: 1. Airport control towers.

2. Open parking structures.
3. Group F, Division 2 Occupancies.

1003.2.3 Group A Occupancies.

1003.2.3.1 Drinking establishments. An automatic sprinkler system shall be installed in rooms used by the occupants for the consumption of alcoholic beverages and unseparated accessory uses where the total area of such unseparated rooms and assembly uses exceeds 5,000 square feet (465 m²). For uses to be considered as separated, the separation shall not be less than as required for a one-hour occupancy separation. The area of other uses shall be included unless separated by at least a one-hour occupancy separation.

1003.2.3.2 Basements. An automatic sprinkler system shall be installed in basements classified as a Group A Occupancy when the basement is larger than 1,500 square feet (139 m²) in floor area.

1003.2.3.3 Exhibition and display rooms. An automatic sprinkler system shall be installed in Group A Occupancies which have more than 12,000 square feet (112 m²) of floor area which can be used for exhibition or display purposes.

1003.2.3.4 Stairs. An automatic sprinkler system shall be installed in enclosed usable space below or over a stairway in Group A, Divisions 2, 2.1, 3 and 4 Occupancies.

1003.2.3.5 Multitheater complexes. An automatic sprinkler system shall be installed in every building containing a multitheater complex.

1003.2.3.6 Amusement buildings. An automatic sprinkler system shall be installed in all amusement buildings. The main water-flow switch shall be electrically supervised. The sprinkler main cutoff valve shall be supervised. When the amusement building is temporary, the sprinkler water-supply system may be of an approved temporary type.

EXCEPTION: An automatic sprinkler system need not be provided when the floor area of a temporary amusement building is less than 1,000 square feet (92.9 m²) and the exit travel distance from any point is less than 50 feet (15 240 mm).

1003.2.3.7 Stages. All stages shall be sprinklered. Such sprinklers shall be provided throughout the stage and in dressing rooms, workshops, storerooms and other accessory spaces contiguous to such stages.

EXCEPTIONS: 1. Sprinklers are not required for stages 1,000 square feet (92.9 m²) or less in area and 50 feet (1542 mm) or less in height where curtains, scenery or other combustible hangings are not retractable vertically. Combustible hangings shall be limited to a single main curtain, borders, legs and a single backdrop.

2. Under stage areas less than 4 feet (1219 mm) in clear height used exclusively for chair or table storage and lined on the inside with 5/8-inch (16 mm) Type X gypsum wallboard or an approved equal.

1003.2.4 Group E Occupancies.

1003.2.4.1 General. An automatic fire-extinguishing system shall be installed in all newly constructed buildings classified as Group E, Division 1 Occupancy. A minimum water supply meeting the requirements of UBC Standard 9-1 shall be required. The Chief may reduce fire flow requirements for buildings protected by an approved automatic sprinkler system.

For the purpose of this section, additions exceeding 60 percent of the value of such building or structure, or alterations and repairs to any portion of a building or structure within a twelve month period that exceeds 100 percent of the value of such building or structure shall be considered new construction. In the case of additions, area separation walls shall define separate buildings.

EXCEPTION: Portable school classrooms, provided:
 1. Aggregate area of clusters of portable school classrooms does not exceed 5,000 square feet (465 m²); and
 2. Clusters of portable school classrooms separated as required in Chapter 5 of the Building Code.

When not required by other provisions of this chapter, a fire-extinguishing system installed in accordance with UBC Standard 9-1 may be used for increases allowed in Chapter 5 of the Building Code.

1003.2.4.2 Basements. An automatic sprinkler system shall be installed in basements classified as Group E, Division 1 Occupancies.

1003.2.4.3 Stairs. An automatic fire sprinkler system shall be installed in enclosed usable space below or over a stairway in Group E, Division 1 Occupancies.

1003.2.5 Group H Occupancies.

1003.2.5.1 General. An automatic fire-extinguishing system shall be installed in Group H, Divisions 1, 2, 3 and 7 Occupancies.

1003.2.5.2 Group H, Division 4 Occupancies. An automatic fire-extinguishing system shall be installed in Group H, Division 4 Occupancies having a floor area of more than 3,000 square feet (279 m²).

1003.2.5.3 Group H, Division 6 Occupancies. An automatic fire-extinguishing system shall be installed throughout buildings containing Group H, Division 6 Occupancies. The design of the sprinkler system shall not be less than that required under the Building Code (see U.B.C. Standard 9-1) for the occupancy hazard classifications as follows:

LOCATION	OCCUPANCY HAZARD CLASSIFICATION
Fabrication areas	Ordinary Hazard Group 2
Service corridors	Ordinary Hazard Group 2
Storage rooms without dispensing	Ordinary Hazard Group 2
Storage rooms with dispensing	Extra Hazard Group 2
Exit corridors	Ordinary Hazard Group 2 ¹

¹When the design area of the sprinkler system consists of a corridor protected by one row of sprinklers, the maximum number of sprinklers that needs to be calculated is 13.

1003.2.6 Group I Occupancies. An automatic sprinkler system shall be installed in Group I Occupancies. Listed quick response sprinklers shall be installed in light hazard areas in accordance with their listing.

EXCEPTION: In jails, prisons and reformatories, the piping system may be dry, provided a manually operated valve is installed at a continuously monitored location. Opening of the valve will cause the piping system to be charged. Sprinkler heads in such systems shall be equipped with fusible elements or the system shall be designed as required for deluge systems in the Building Code (see U.B.C. Standard 9-1).

1003.2.7 Group M Occupancies. An automatic sprinkler system shall be installed in retail sales rooms classified as Group M Occupancies where the floor area exceeds 12,000 square feet (1114.8 m²) on any floor or 24,000 square feet (2229.7 m²) on all floors or in Group M retail sales occupancies more than three stories in height. The area of mezzanines shall be included in determining the areas where sprinklers are required.

1003.2.8 Group R, Division 1 Occupancies. An automatic sprinkler system shall be installed throughout every apartment house three or more stories in height or containing 16 or more dwelling units, every congregate residence three or more stories in height or having an occupant load of 20 or more, and every hotel three or more stories in height or containing 20 or more guest rooms. Residential or quick-response standard sprinklers shall be used in the dwelling units and guest room portions of the building.

1003.3 Sprinkler System Monitoring and Alarms.

1003.3.1 Where required. All valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electrically monitored where the number of sprinklers are:

1. Twenty or more in Group I, Divisions 1.1 and 1.2 Occupancies.
2. One hundred or more in all other occupancies.

Valve monitoring and water-flow alarm and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote station or proprietary monitoring station as defined by U.F.C. Standard 10-2 or, when approved by the building official with the concurrence of the chief, shall sound an audible signal at a constantly attended location.

EXCEPTION: Underground key or hub valves in roadway boxes provided by the municipality or public utility need not be monitored.

1003.3.2 Alarms. An approved audible sprinkler flow alarm shall be provided on the exterior of the building in an approved location. An approved audible sprinkler flow alarm to alert the occupants shall be provided in the interior of the building in a normally occupied location. Actuation of the alarm shall be as set forth in the Building Code. (See U.B.C. Standard 9-1.)

PERMANENT

1003.4 Permissible Sprinkler Omissions. Subject to the approval of the building official and with the concurrence of the chief, sprinklers may be omitted in rooms or areas as follows:

1. When sprinklers are considered undesirable because of the nature of the contents or in rooms or areas which are of noncombustible construction with wholly noncombustible contents and which are not exposed by other areas. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistive construction or contains electrical equipment.

2. Sprinklers shall not be installed when the application of water or flame and water to the contents may constitute a serious life or fire hazard, as in the manufacture or storage of quantities of aluminum powder, calcium carbide, calcium phosphide, metallic sodium and potassium, quicklime, magnesium powder and sodium peroxide.

3. Safe deposit or other vaults of fire-resistive construction, when used for the storage of records, files and other documents, when stored in metal cabinets.

4. Communication equipment areas under the exclusive control of a public communication utility agency, provided:

4.1 The equipment areas are separated from the remainder of the building by one-hour fire-resistive occupancy separation; and

4.2 Such areas are used exclusively for such equipment; and

4.3 An approved automatic smoke-detection system is installed in such areas and is supervised by an approved central, proprietary or remote station service or a local alarm which will give an audible signal at a constantly attended location; and

4.4 Other approved fire-protection equipment such as portable fire extinguishers or Class II standpipes are installed in such areas.

5. Other approved automatic fire-extinguishing systems may be installed to protect special hazards or occupancies in lieu of automatic sprinklers.

NEW SECTION

WAC 51-34-1007 Section 1007—Fire alarm systems.

1007.1 General.

1007.1.1 Applicability. Installation and maintenance of fire alarm systems shall be in accordance with Section 1007.

1007.1.2 Testing. See Section 1001.4.

1007.1.3 Maintenance. See Section 1001.5.1.

1007.1.4 Problematic systems and systems out of service. In the event of temporary failure of the alarm system or an excessive number of accidental alarm activations, the chief is authorized to require the building owner or occupant to provide standby personnel as set forth in Section 2501.19 until the system is restored.

1007.1.5 Where new construction or modification is to be in compliance with adopted WAC 51-30, Chapter 11, alarm

modifications shall be designed to be compatible with the requirements of Article 10, U.F.C.

1007.2 Required Installations.

1007.2.1 General.

1007.2.1.1 When required. An approved manual, automatic or manual and automatic fire alarm system shall be provided in accordance with Section 1007.2.

1007.2.1.2 Use of area separation walls to define separate buildings. For the purposes of Section 1007, area separation walls shall not define separate buildings.

1007.2.2 Group A Occupancies.

1007.2.2.1 General. Group A, Divisions 1, 2 and 2.1 Occupancies shall be provided with a manual fire alarm system in accordance with Section 1007.2.2.

EXCEPTIONS:

1. Manual fire alarm boxes are not required when an approved automatic fire-extinguishing system is installed which will immediately activate the prerecorded announcement upon water flow.
2. Group A Occupancy portions of Group E Occupancies are allowed to have alarms as required for the Group E Occupancy.

See also Section 1007.2.12.

1007.2.2.2 System initiation. Activation of the fire alarm shall immediately initiate an approved prerecorded message announcement using an approved electrically supervised voice communication or public address system which is audible above the ambient noise level of the occupancy.

EXCEPTION: When approved by the chief, the prerecorded announcement is allowed to be manually deactivated for a period of time not to exceed 3 minutes for the sole purpose of allowing a live voice announcement from an approved, constantly attended station.

1007.2.2.3 Emergency power. Voice communication and public address systems shall be provided with an approved emergency power source.

1007.2.3 Group B Occupancies. See Section 1007.2.12.

1007.2.4 Group E Occupancies.

1007.2.4.1 General. Group E Occupancies shall be provided with fire alarm systems in accordance with Section 1007.2.4. Group E, Division 1 Occupancies and Group E, Division 3 Occupancies having an occupant load of 50 or more shall be provided with an approved manual fire alarm system. When automatic sprinkler systems or smoke detectors provided in accordance with Section 1007.2.4.2 are installed, such systems or detectors shall be connected to the building fire alarm system, and the building fire alarm system shall be both automatic and manual. See also Section 1007.2.12.

1007.2.4.2 Smoke detectors.

1007.2.4.2.1 Increased travel distance. Smoke detectors shall be installed when required by the Building Code for increased in travel distance to exits. (See U.B.C. Section 1017.3.)

1007.2.4.2.2 Exits through adjoining rooms. Smoke detectors shall be installed when required by the Building Code to allow the only means of egress from a room to be

through adjoining or intervening rooms. (See U.B.C. Section 1017.4.)

1007.2.4.3 Exterior alarm-signaling device. A alarm-signaling device shall be mounted on the exterior of the building.

1007.2.5 Group F Occupancies. See Section 1007.2.12.

1007.2.6 Group H Occupancies.

1007.2.6.1 General. Group H Occupancies shall be provided with fire alarm systems in accordance with Section 1007.2.6. See also Section 1007.2.12.

1007.2.6.2 Organic coatings. Organic coating manufacturing uses shall be provided with a manual fire alarm system. See Article 50.

1007.2.6.3 Group H, Division 6 Occupancies. Group H, Division 6 Occupancies shall be provided with a manual fire alarm system. See Article 51.

1007.2.6.4 Rooms used for storage, dispensing, use and handling of hazardous materials. When required by Article 80, rooms or areas used for storage, dispensing, use or handling of highly toxic compressed gases, liquid and solid oxidizers, and Class I, II, III or IV organic peroxides shall be provided with an automatic smoke-detection system.

1007.2.7 Group I Occupancies.

1007.2.7.1 Divisions 1.1, 1.2 and 2 Occupancies.

1007.2.7.1.1 System requirements. Group I, Divisions 1.1, 1.2 and 2 Occupancies shall be provided with an approved manual and automatic fire alarm system in accordance with Section 1007.2.7.1. See also Section 1007.2.12. Smoke detectors shall be provided in accordance with the Building Code as follows:

1. At automatic-closing doors in smoke barriers and one-hour fire-resistive occupancy separations (see U.B.C. Sections 308.2.2.1 and 308.8),

2. In waiting areas which are open to corridors (see U.B.C. Section 1019.3).

When actuated, alarm-initiating devices shall activate an alarm signal which is audible throughout the building.

EXCEPTION: Visual alarm-signaling devices are allowed to substitute for audible devices in patient use areas.

1007.2.7.1.2 Patient room smoke detectors. Smoke detectors which receive their primary power from the building wiring shall be installed in patient sleeping rooms of hospital and nursing homes. Actuation of such detectors shall cause a visual display on the corridor side of the room in which the detector is located and shall cause an audible and visual alarm at the respective nurses' station. When single-station detectors and related devices are combined with a nursing call system, the nursing call system shall be listed for the intended combined use.

EXCEPTION: In rooms equipped with automatic door closers having integral smoke detectors on the room side, the integral detector may substitute for the room smoke detector, provided it performs the required alerting functions.

1007.2.7.2 Division 3 Occupancies.

1007.2.7.2.1 General. Group I, Division 3 Occupancies shall be provided with a manual and automatic fire alarm system installed for alerting staff in accordance with Section 1007.2.7.2. See also Section 1007.2.12.

1007.2.7.2.2 System initiation. Actuation of an automatic fire-extinguishing system, a manual fire alarm box or a fire detector shall initiate an approved fire alarm signal which automatically notifies staff. Presignal systems shall not be used.

1007.2.7.2.3 Manual fire alarm boxes.

1. **General.** Manual fire alarm boxes need not be located in accordance with Section 1007.3.3.1 when they are provided at staff-attended locations having direct supervision over areas where manual fire alarm boxes have been omitted.

2. **Locking of manual fire alarm boxes.** Manual fire alarm boxes are allowed to be locked in areas occupied by detainees, provided that staff members are present within the subject area and have keys readily available to operate the manual fire alarm boxes.

1007.2.7.2.4 Smoke detection. An approved automatic smoke-detection system shall be installed throughout resident housing areas, including sleeping areas and contiguous day rooms, group activity spaces and other common spaces normally accessible to residents.

EXCEPTION: Other approved smoke-detection arrangements providing equivalent protection, such as placing detectors in exhaust ducts from cells or behind protective grilles, are allowed when necessary to prevent damage or tampering.

1007.2.7.2.5 Zoning and annunciation. Alarm and trouble signals shall be annunciated at an approved constantly attended location. Such signals shall indicate the zone of origin.

Separate zones shall be provided for individual fire-protection systems, buildings, floors, cell complexes and sections of floors compartmented by smoke-stop partitions.

1007.2.7.2.6 Monitoring. The fire alarm system shall be monitored by an approved central, proprietary or remote station service or by transmission of a local alarm which will give audible and visual signals at an approved constantly attended location.

1007.2.8 Group M Occupancies. See Section 1007.2.12.

1007.2.9 Group R, Division 1 Occupancies.

1007.2.9.1 System requirements.

1007.2.9.1.1 General. Group R Occupancies shall be provided with fire alarm systems in accordance with Section 1007.2.9. Group R, Division 1 Occupancies shall be provided with a manual and automatic fire alarm system in apartment houses three or more stories in height or containing 16 or more dwelling units, in hotels three or more stories in height or containing 20 or more guest rooms, and in congregate residences three or more stories in height or having an occupant load of 20 or more. See also Section 1007.2.12.

EXCEPTIONS: 1. A manual fire alarm system need not be provided in buildings not over two stories in height when all individu-

all dwelling units and contiguous attic and crawl spaces are separated from each other and public or common areas by at least one-hour fire-resistive occupancy separations and each individual dwelling unit or guest room has an exit directly to a public way, exit court or yard.

2. A separate fire alarm system need not be provided in buildings which are protected throughout by an approved supervised fire sprinkler system conforming with the Building Code and having a local alarm to notify all occupants.

1007.2.9.1.2 Manual fire alarm boxes. Manual fire alarm boxes are not required for interior corridors having smoke detectors as specified in Section 1007.2.9.1.3.

1007.2.9.1.3 Smoke detectors. Smoke detectors shall be provided in all common areas and interior corridors serving as a required exit for an occupant load of 10 or more.

1007.2.9.1.4 Heat detectors. Heat detectors shall be provided in common areas such as recreational rooms, laundry rooms, furnace rooms, and similar areas in accordance with U.F.C. Standard 10-3.

1007.2.9.1.5 Visual signaling devices. Guest rooms for persons with hearing impairments shall be provided with visible and audible alarm-indicating appliances, activated by both the in-room smoke detector and the building fire alarm system.

1007.2.9.2 Single-station smoke detectors. Approved single-station smoke detectors shall be installed in dwelling units, congregate residences and hotel or lodging house guest rooms in accordance with the Building Code.

Single-station smoke detectors shall not be connected to a fire alarm system. See also Section 1007.2.9.1.5.

EXCEPTION: Connection of such detectors for annunciation only.

1007.2.10 Group S Occupancies. See Section 1007.2.12.

1007.2.11 Group U Occupancies. No requirements.

1007.2.12 Special uses and conditions.

1007.2.12.1 Amusement buildings.

1007.2.12.1.1 General. An approved smoke-detection system shall be provided in amusement buildings in accordance with Section 1007.2.12.1.

EXCEPTION: In areas where ambient conditions will cause a smoke-detection system to alarm, an approved alternate type of automatic detector shall be installed.

1007.2.12.1.2 Alarm system. Activation of any single smoke detector, the automatic sprinkler system or other automatic fire-detection device shall immediately sound an alarm in the building at a constantly supervised location from which the manual operation of systems noted in Section 1007.2.12.1.3 can be initiated.

1007.2.12.1.3 System response. The activation of two or more smoke detectors, a single smoke detector monitored by an alarm verification zone, the automatic sprinkler system or other approved fire-detection device shall automatically:

1. Stop confusing sounds and other visual effects,
2. Activate approved directional exit marking, and
3. Cause illumination of the exit path with light of not less than one footcandle at the walking surface.

1007.2.12.1.4 Public address system. The public address system is also allowed to serve as an alarm.

1007.2.12.2 High-rise buildings.

1007.2.12.2.1 General. Group B office buildings and Group R, Division 1 Occupancies, each having floors used for human occupancy located more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access, shall be provided with an automatic fire alarm system and a communication system in accordance with Section 1007.2.12.2.

1007.2.12.2.2 Automatic fire alarm system. Smoke detectors shall be provided in accordance with Section 1007.2.12.2.2. Smoke detectors shall be connected to an automatic fire alarm system. The actuation of any detector required by Section 1007.2.12.2.2 shall operate the emergency voice alarm-signaling system and shall place into operation all equipment necessary to prevent the recirculation of smoke. Smoke detectors shall be located as follows:

1. In every mechanical equipment, electrical, transformer, telephone equipment, elevator machine or similar room, and in elevator lobbies. Elevator lobby detectors shall be connected to an alarm verification zone or be listed as a releasing device;

2. In the main return-air and exhaust-air plenum of each air-conditioning system. Such detectors shall be located in a serviceable area downstream of the last duct inlet;

3. At each connection to a vertical duct or riser serving two or more stories from a return-air duct or plenum of an air-conditioning system. In Group R, Division 1 Occupancies, an approved smoke detector is allowed to be used in each return-air riser carrying not more than 5,000 cubic feet per minute (2360 L/s) and serving not more than 10 air-inlet openings; and

4. For Group R, Division 1 Occupancies, in all interior corridors serving as a required exit for an occupant load of 10 or more.

1007.2.12.2.3 Emergency voice alarm-signaling system. The operation of any automatic fire detector, sprinkler or water-flow device shall automatically sound an alert tone followed by voice instructions giving appropriate information and directions on a general or selective basis to the following terminal areas:

1. Elevators,
2. Elevator lobbies,
3. Corridors,
4. Exit stairways,
5. Rooms and tenant spaces exceeding 1,000 square feet (93 m²) in area,
6. Dwelling units in apartment houses, and
7. Hotel guest rooms or suites.

A manual override for emergency voice communication shall be provided for all paging zones.

The emergency voice alarm-signaling system shall be designed and installed in accordance with the Building Code and U.F.C. Standard 10-2.

1007.2.12.2.4 Fire department communication system. A two-way, approved fire department communication system shall be provided for fire department use. It shall operate between the central control station and elevators, elevator lobbies, emergency and standby power rooms and at entries into enclosed stairways.

1007.2.12.3 Buildings with atriums. Actuation of an atrium smoke-control system required by the Building Code shall initiate an audible fire alarm signal in designated portions of the building.

1007.2.12.4 High-piled combustible storage uses. When required by Article 81, high-piled combustible storage uses shall be provided with an automatic smoke-detection system throughout.

1007.2.12.5 Special egress-control devices. When special egress-control devices are installed on exit doors, an automatic smoke-detection system shall be installed throughout the building. (See U.B.C. Section 1004.5.)

1007.2.12.6 Corridors in office uses. When required by the Building Code for corridors in lieu of one-hour corridor construction, smoke detectors shall be installed within office corridors in accordance with their listing. The actuation of any detector shall activate alarms audible in all areas served by the corridor. (See U.B.C. Section 1005.7, Exception 5.)

1007.2.12.7 Aerosol storage uses. When required by Article 88, aerosol storage rooms and general purpose warehouses containing aerosols shall be provided with an approved manual alarm system.

1007.2.12.8 Smoke-control systems. An approved automatic smoke-detection system shall be provided when required by the Building Code for automatic control of a smoke-control system. (See U.B.C. Section 905.9.)

1007.2.12.9 Accessible buildings.

1007.2.12.9.1 General. Alarm systems in buildings which are required to have accessible building facilities shall include both audible and visible alarms. All devices shall be listed or approved. The alarm devices shall be located in all accessible sleeping accommodations and common use areas, including toilet rooms and bathing facilities, hallways, and lobbies.

EXCEPTIONS: 1. Alarm systems in Group I, Division 1.1 and 1.2 Occupancies may be modified to suit standard health care design practice.

2. Visible alarms are not required in Group R, Division 1 apartment buildings.

1007.2.12.9.2 Alarms.

1007.2.12.9.2.1 Audible alarms. Audible alarms shall produce a sound in accordance with UFC Standard 10-1. Audible alarms shall exceed the prevailing equivalent sound level in the room or space by at least 15 decibels, or shall exceed any maximum sound level with a duration of 30 seconds by decibels, whichever is louder. Sound levels for alarm signals shall not exceed 120 decibels.

1007.2.12.9.2.2 Visible alarms. Visible alarm signal appliances shall be integrated into the building or facility alarm system. All devices shall be listed or approved. Where single-station audible alarms are provided, single-station visible alarm signals shall be provided.

EXCEPTION: Visible alarms are not required in Group R, Division 1 apartment buildings.

Visible alarms shall be located per nationally recognized standards. NFPA 72, 1993 edition, and ANSI 117.1, 1992, shall be considered equivalent facilitation.

1007.2.12.9.2.3 Access to manual fire alarm systems. Manual fire alarm devices shall be mounted at least 36 inches (914.4 mm) and not more than 54 inches (1371.6 mm) above the floor where a parallel approach is provided. Where a parallel approach can not be provided the height shall not exceed 48 inches (1219.2 mm).

1007.3 General System Design and Installation Requirements.

1007.3.1 Design standards. Fire alarm systems, automatic fire detectors, emergency voice alarm communication systems and notification devices shall be designed, installed and maintained in accordance with U.F.C. Standards 10-2 and 10-3 and other nationally recognized standards.

1007.3.2 Equipment. Systems and components shall be listed and approved for the purpose for which they are installed.

1007.3.3 System layout and operation.

1007.3.3.1 Manual fire alarm boxes. When a manual fire alarm system is required, manual fire alarm boxes shall be distributed throughout so that they are readily accessible, unobstructed, and are located in the normal path of exit travel from the area and as follows:

1. At every exit from every level.

2. Additional fire alarm boxes shall be located so that travel distance to the nearest box does not exceed 200 feet (60 960 mm).

1007.3.3.2 Control units, annunciator panels and access keys. The alarm control unit, remote annunciator panel and access keys to locked fire alarm equipment shall be installed and maintained in a location approved by the chief.

1007.3.3.3 Alarm initiation and signal.

1007.3.3.3.1 General. When actuated, fire alarm-initiating devices shall activate an alarm signal which is audible throughout the building or in designated portions of the building when approved by the chief.

EXCEPTION: Single-station detectors in dwelling units, rooms used for sleeping purposes in hotel and lodging houses, and patient sleeping rooms in hospitals and nursing homes.

1007.3.3.3.2 Alarm signal. The alarm signal shall be keyed to one half to one second "on" and one second "off" for three cycles, immediately after which, when a voice alarm is required by Section 1007.2, a voice announcement shall be broadcast. The alarm signal shall be repeated for the duration that the fire alarm system is activated.

EXCEPTIONS: This alarm signal is not required for:

1. Group A Occupancies having a fire alarm signal in accordance with Section 1007.2.2.
2. Patient and inmate areas of Group I Occupancies.

1007.3.3.3.3 Audibility. The alarm signal shall be a distinctive sound which is not used for any other purpose other than the fire alarm. Alarm-signaling devices shall produce a sound that exceeds the prevailing equivalent sound level in the room or space by 15 decibels minimum, or exceeds any maximum sound level with a duration of 30 seconds minimum by 5 decibels minimum, whichever is louder. Sound levels for alarm signals shall be 120 decibels maximum.

1007.3.3.3.4 Visual alarms. Alarm systems shall include both audible and visual alarms. Alarm devices shall be located in hotel guest rooms as required by the Building Code (see U.B.C. Section 1105.4.6); accessible public- and common-use areas, including toilet rooms and bathing facilities; hallways; and lobbies. (See Council of American Building Officials/American National Standards Institute Standard A117.1-1992, Section 4-26.2, for additional information about visual signals.)

1007.3.3.3.4 Connections to other systems. A fire alarm system shall not be used for any purpose other than fire warning unless approved by the chief.

1007.3.3.3.5 Supervision. Means of interconnecting equipment, devices and appliances shall be supervised for the integrity of the interconnecting conductors or equivalent, as set forth in U.F.C. Standard 10-2.

1007.3.3.3.6 Monitoring.

1007.3.3.3.6.1 General. When required by the chief, fire alarm systems shall be monitored by an approved central, proprietary or remote station service or a local alarm which gives audible and visual signals at a constantly attended location.

1007.3.3.3.6.2 Automatic telephone dialing devices. Automatic telephone dialing devices used to transmit an emergency alarm shall not be connected to any fire department telephone number unless approved by the chief.

1007.3.3.3.7 Annunciation. Fire alarm systems shall be divided into alarm zones when required by the chief. When two or more alarm zones are required, visible annunciation shall be provided in a location approved by the chief.

1007.3.4 Acceptance test and certification.

1007.3.4.1 Acceptance test. Upon completion of the installation, a satisfactory test of the entire system shall be made in the presence of the chief. All functions of the system or alteration shall be tested.

1007.3.4.2 Certification. The permittee shall provide written certification to the chief that the system has been installed in accordance with the approved plans and specifications.

1007.3.4.3 Instructions. When required by the chief, operating, testing and maintenance instructions and "as-built" drawings and equipment specifications shall be provided at an approved location.

NEW SECTION

WAC 51-34-2500 Article 25—Places of assembly.

NEW SECTION

WAC 51-34-2501 Section 2501—General.

2501.1 Scope. Places of assembly shall be in accordance with Article 25.

2501.2 Definitions. For definitions of ASSEMBLY; BLEACHERS; DISPERSAL AREA, SAFE; FOLDING AND TELESCOPING SEATING; FOOTBOARDS; GRANDSTANDS; OPEN-AIR GRANDSTANDS AND BLEACHERS; PERMANENT STANDS; REVIEWING STANDS; SMOKE-PROTECTED ASSEMBLY SEATING AND TEMPORARY SEATING FACILITIES, see Article 2.

2501.3 Permits and Plans. For permits to operate a place of assembly, operate a carnival or fair, use liquid- or gas-fueled vehicles or equipment for competition or display inside an assembly occupancy, or use candles or other open-flame devices in assembly areas, see Section 105, Permits cl., c.2, 1.2 and p.2.

Plans of carnival and fair grounds shall be submitted when required by the chief.

2501.4 Supervision and Communication System.

2501.4.1 Supervision. Places of assembly shall be under the constant supervision of a competent adult on the premises during the time that the premises are open to the public.

2501.4.2 Communication. When required by the chief, places of assembly shall be provided with a method for notifying the fire department in the event of an emergency. Such method can consist of a telephone, an alarm system connected to the fire department or other approved agency, or other approved means. Methods of notifying the fire department shall be readily available to the public.

2501.5 Decorative Materials. Combustible decorative materials shall be in accordance with Section 1103.3.3.

2501.6 Pyroxylin-coated Fabrics. Pyroxylin-coated fabrics used as a decorative material in accordance with Section 2501.6 or a surface covering on fixed furnishing, shall be limited in amount to the following:

1. Fabrics containing 1.4 ounces to 1.7 ounces of cellulose nitrate per square yard (47.59 g/m² to 57.6 g/m²) shall not be used in excess of a total amount equivalent to 1 square foot of fabric surface to 15 cubic feet of room volume (0.22 m²/m³).

2. Fabrics containing 1.7 ounces or more of cellulose nitrate per square yard (57.6 g/m²) shall not be used in excess of a total amount equivalent to 0.5 square feet of fabric surface to 15 cubic feet of room volume (0.11 m²/m³).

3. Measurement can be accomplished by folding a piece to five thicknesses and measuring to see if the thickness of five layers exceeds 1/8 inch (3.2 mm).

2501.7 Motion Picture Screens. In places of assembly, motion picture screens or screen masking shall be in accordance with Section 2501.5.

2501.8 Exit Doors.

2501.8.1 General. Exit doors shall comply with Sections 1207 and 2501.8.

2501.8.2 Panic hardware. Exit doors from Group A Occupancies having an occupant load of 50 or more shall not be provided with a latch or lock unless it is panic hardware.

- EXCEPTIONS:**
1. In Group A, Division 3 Occupancies and in all churches, panic hardware may be omitted from the main exit when the main exit consists of a single door or pair of doors. A key-locking device may be used in place of the panic hardware, provided there is a readily visible durable sign adjacent to the doorway stating THIS DOOR MUST REMAIN UNLOCKED DURING BUSINESS HOURS. The sign shall be in letters not less than 1 inch (25.4 mm) high on a contrasting background. When unlocked, the single door or both leaves of a pair of doors must be free to swing without operation of any latching device. When a pair of doors is installed, one leaf shall have no locking devices whatsoever, and the second leaf shall be arranged to latch or lock into the frame and into the first leaf in such a manner that a single unlocking action will unlock both leaves simultaneously. Flush, edge or surface bolts or any other type of device that may be used to close or restrain the door other than by operation of the locking device is prohibited. The use of this exception may be revoked by the building official for due cause.
 2. Panic hardware may be waived on gates surrounding stadiums when the gates are under constant immediate supervision while the public is present and provided safe dispersal areas based on 3 square feet metric (0.28m²) per occupant are located between the stadium and the fence. Gates may be horizontal sliding or swinging and may exceed the 4-foot-width (1219 mm) limitation. The required dispersal area shall be located not less than 50 feet (15 240 mm) from the stadium.

2501.9 Aisles.

2501.9.1 General. Aisles leading to required exits shall be provided from all portions of buildings. Aisles located within an accessible route of travel shall also comply with the Building Code for accessibility (see U.B.C. Chapter 11).

2501.9.2 Width without fixed seats. The width of aisles in assembly occupancies without fixed seats shall comply with Section 2501.9.2. Aisle widths shall be provided in accordance with the following:

1. In areas serving employees only, the minimum aisle width may be 24 inches (610 mm) but not less than the width required by the number of employees served.
2. In assembly occupancies without fixed seats, the minimum clear aisle width shall be 36 inches (914 mm) where tables, counters, furnishings, merchandise or other similar obstructions are placed on one side of the aisle only and 44 inches (1118 mm) when such obstructions are placed on both sides of the aisle.

2501.9.3 Width with fixed seats. Aisles in assembly occupancies with fixed seats shall comply with Section 2501.9.3. The clear width of aisles shall be based on the number of occupants within the portion of the seating areas served by the aisle.

The minimum clear width of aisles and other means of egress shall be in accordance with Table 2501-A or, for buildings providing smoke-protected assembly seating and for which an approved life-safety evaluation is conducted, in

accordance with Table 2501-B. For Table 2501-B, the number of seats specified must be within a single assembly place, and interpolation shall be permitted between the specified values shown. For both tables, the minimum clear widths shown shall be modified in accordance with the following:

1. **Factor A:** If risers exceed 7 inches (178 mm) in height, multiply the stair width in the tables by factor A, where:

$$A = 1 + \frac{(\text{riser height} - 7.0 \text{ inches})}{5}$$

For SI:
$$A = 1 + \frac{(\text{riser height} - 178 \text{ mm})}{127}$$

2. **Factor B:** Stairs not having a handrail within a 30-inch (760 mm) horizontal distance shall be 25 percent wider than otherwise calculated. Multiply by factor B, where B = 1.25.

3. **Factor C:** Ramps steeper than 1 in 10 slope where used in ascent shall be 10 percent wider than otherwise calculated. Multiply by factor C, where C = 1.10.

Where exiting is possible in two directions, the width of such aisles shall be uniform throughout their length.

When aisles converge to form a single path of exit travel, the aisle width shall not be less than the combined required width of the converging aisle.

In assembly rooms with fixed seats arranged in rows, the clear width of aisles shall not be less than set forth above and not less than the following:

Forty-eight inches (1219 mm) for stairs having seating on both sides.

Thirty-six inches (914 mm) for stairs having seating on one side.

Twenty-three inches (584 mm) between a stair handrail and seating when the aisles are subdivided by the handrail.

Forty-two inches (1067 mm) for level or ramped aisles having seating on both sides.

Thirty-six inches (914 mm) for level or ramped aisles having seating on one side.

Twenty-three inches (584 mm) between a stair handrail and seating when an aisle does not serve more than five rows on one side.

2501.9.4 Aisle termination. Aisles shall terminate at a cross aisle, foyer, doorway or vomitory. Aisles shall not have a dead end greater than 20 feet (6096 mm) in length.

EXCEPTION: A longer dead-end aisle is permitted when seats served by the dead-end aisle are not more than 24 seats from another aisle measured along a row of seats having a minimum clear width of 12 inches (305 mm) plus 0.6 inch (15 mm) for each additional seat above seven in a row.

Each end of a cross aisle shall terminate at an aisle, foyer, doorway or vomitory.

2501.9.5 Ramp slope. The slope of ramped aisles shall not be more than 1 unit vertical in 8 units horizontal (12.5% slope). Ramped aisles shall have a slip-resistant surface.

EXCEPTION: When provided with fixed seating, theaters may have a slope not steeper than 1 unit vertical to 5 units horizontal (20% slope).

2501.9.6 Aisle steps.

2501.9.6.1 When prohibited. Steps shall not be used in aisles having a slope of 1 unit vertical to 8 units horizontal (12.5% slope) or less.

2501.9.6.2 When required. Aisles with a slope steeper than 1 unit vertical to 8 units horizontal (12.5% slope) shall consist of a series of risers and treads extending across the entire width of the aisle, except as provided in subsection 2501.9.5.

The height of risers shall not be more than 7 inches (178 mm) or less than 4 inches (102 mm) and the tread run shall not be less than 11 inches (279 mm). The riser height shall be uniform within each flight and the tread run shall be uniform throughout the aisle. Variations in run or height between adjacent treads or risers shall not exceed 3/16 inch (4.8 mm). A contrasting marking stripe or other approved marking shall be provided on each tread at the nosing or leading edge such that the location of each tread is readily apparent when viewed in descent. Such stripe shall be a minimum of 1 inch (25.4 mm) wide and a maximum of 2 inches (51 mm) wide.

EXCEPTION: When the slope of aisle steps and the adjoining seating area is the same, the riser heights may be increased to a maximum of 9 inches (229 mm) and may be nonuniform but only to the extent necessitated by changes in the slope of the adjoining seating area to maintain adequate sightlines. Variations may exceed 3/16 inch (4.8 mm) between adjacent risers provided the exact location of such variations is identified with a marking stripe on each tread at the nosing or leading edge adjacent to the nonuniform riser. The marking stripe shall be distinctively different from the contrasting marking stripe.

2501.9.7 Handrails. Handrails shall comply with the height, size and shape dimensions set forth in the Building Code (See U.B.C. Section 1006.9) and shall have rounded terminations or bends. Ramped aisles having a slope steeper than 1 unit vertical to 15 units horizontal (6.7 percent slope) and aisle stairs (two or more adjacent steps) shall have handrails located either at the side or within the aisle width. Handrails may project into the required aisle width a distance of 3½ inches (89 mm).

EXCEPTIONS:

1. Handrails may be omitted on ramped aisles having a slope not greater than 1 unit vertical in 8 units horizontal (12.5 percent slope) when fixed seating is on both sides of the aisle.
2. Handrails may be omitted when a guardrail is at the side of an aisle which conforms to the size and shape requirements for handrails.

Handrails located within the aisle width shall be discontinuous with gaps or breaks at intervals not to exceed five rows. These gaps or breaks shall have a clear width of not less than 22 inches (559 mm) and not more than 36 inches (914 mm) measured horizontally. Such handrails shall have an additional intermediate handrail located 12 inches (305 mm) below the main handrail.

2501.10 Seating.

2501.10.1 Spacing. When seating rows have 14 or less seats, the minimum clear width between rows shall not be less than 12 inches (305 mm) measured as the clear horizontal distance from the back of the row ahead and the nearest projection of the row behind. Where seats are automatic or self-rising, measurement may be made with the seats in the raised position. Where seats are not automatic or self-rising, the minimum clear width shall be measured with the seat in the down position.

The clear width shall be increased as follows:

1. For rows of seating served by aisles or doorways at both ends, there shall be no more than 100 seats per row and the minimum clear width of 12 inches (305 mm) between rows shall be increased by 0.3 inch (7.62 mm) for every additional seat beyond 14, but the minimum clear width need not exceed 22 inches (559 mm). If the aisles are dead ended, see Section 2501.9.4 for further limitations.

2. For rows of seating served by an aisle or a doorway at one end only, the minimum clear width of 12 inches (305 mm) between rows shall be increased by 0.6 inch (15 mm) for every additional seat beyond seven, but the minimum clear width need not exceed 22 inches (559 mm). In addition, the distance to the point where the occupant has a choice of two directions of travel to an exit shall not exceed 30 feet (9144 mm) from the point where the occupant is seated.

2501.10.2 Bonding of chairs. Loose seats, folding chairs or similar seating facilities that are not fixed to the floor shall be bonded together in groups of three or more.

EXCEPTIONS:

1. When not more than 300 such seats, chairs or facilities are provided, bonding is not required.
2. The bonding of chairs is not required when tables are provided, as when the occupancy is used for dining or similar purposes.

When bonding of chairs is required, aisles and exits shall be provided as required by Section 2501.9.3.

2501.10.3 Bleacher seats and grandstands. Bleacher seats and reviewing stands shall be in accordance with Sections 2502 and 2503.

2501.11 Use of Exit Ways. Interior and exterior stairways, smokeproof enclosures, hallways, corridors, vestibules, balconies and bridges leading to a stairway or an exit shall not be used in any way that will obstruct their use as an exit or that will present a hazardous condition.

2501.12 Ashtrays. Where smoking is allowed, approved noncombustible ashtrays or match receivers shall be provided on each table and at other convenient places.

2501.13 Fire Appliances. Fire appliances shall be kept in proper working condition. Extinguishers and hose and similar appliances shall be visible and accessible at all times. It shall be the duty of the owner and the occupant of each building or part of a building occupied as a place of assembly to properly train sufficient regular employees in the use of fire appliances. See also Section 1303.5.

2501.14 Plan of Exit Ways and Aisles. When required by the chief, a plan indicating the seating arrangements, location

and width of exit ways and aisles shall be submitted for approval, and an approved copy of the plan shall be kept on display on the premises.

2501.15 Marking and Lighting of Exits. Exits in places of assembly shall be identified and lighted in accordance with Sections 1211 and 1212.

2501.16 Maximum Occupant Load.

2501.16.1 Posting of room capacity. Any room having an occupant load of 50 or more where fixed seats are not installed, and which is used for assembly purposes, shall have the capacity of the room posted in a conspicuous place on an approved sign near the main exit from the room. Such sign shall be maintained legible by the owner or the owner's authorized agent and shall indicate the number of occupants permitted for each room use.

2501.16.2 Determination of occupant load. The number of persons in a building or portion thereof shall not exceed the amount determined as specified in the Building Code, except that where such additional exit facilities are provided the occupant load can be increased by not more than 10 percent, when approved by the chief, without being considered overcrowding.

2501.16.3 Overcrowding. Overcrowding and admittance of persons beyond the approved capacity of a place of assembly are prohibited. The chief, upon finding overcrowding conditions or obstructions in aisles, passageways or other means of egress, or upon finding a condition which constitutes a serious menace to life, is authorized to cause the performance, presentation, spectacle or entertainment to be stopped until such condition or obstruction is corrected.

2501.17 Candles and other open-flame devices. Candles and other open-flame devices shall not be used in places of assembly or in drinking or dining establishments.

EXCEPTIONS:

1. When used in conjunction with approved heating or cooking appliances in areas not accessible to the public.
2. When used in conformance with Section 2501.18.

2501.18 Requirements for Use of Candles and Other Open-flame Devices.

2501.18.1 General. The use of candles and other open-flame devices shall be in accordance with Section 2501.18.

2501.18.2 Flaming foods and beverages. The preparation of flaming foods or beverages shall be in accordance with the following:

1. Flammable liquids used in the preparation of flaming foods and beverages shall be dispensed from one of the following:

- 1.1 A 1-ounce (29.6 mL) container, or

- 1.2 A container not to exceed 1 quart (946.4 mL) with a controlled pouring device that will limit the flow to 1 ounce (29.6 mL).

2. Flaming foods or beverages shall be prepared only in the immediate vicinity of the table being served. They shall not be transported or carried while burning,

3. The person preparing the flaming foods or beverages shall have a wet cloth towel immediately available for use in smothering the flames in the event of an emergency,

4. The serving of flaming foods or beverages shall be done in a safe manner and shall not create high flames. The pouring, ladling or spooning of liquids is restricted to a maximum height of 8 inches (203.2 mm) above the receiving receptacle, and

5. Containers shall be secured to prevent spillage when not in use.

2501.18.3 Candles and other open-flame decorative lighting. Candles and other open-flame decorative lighting shall be in accordance with the following:

1. Class I and II liquids and LP-gas shall not be used,

2. Liquid- or solid-fueled lighting devices containing more than 8 ounces (236.6 mL) must self-extinguish and not leak fuel at a rate of more than ¼ teaspoon per minute (1.26 mL per minute) if tipped over,

3. The device or holder shall be constructed to prevent the spilling of liquid fuel or wax at the rate of more than 1/4 teaspoon per minute (1.26 mL per minute) when the device or holder is not in an upright position,

4. The device or holder shall be designed so that it will return to the upright position after being tilted to an angle of 45 degrees from vertical,

EXCEPTION: Units that self-extinguish if tipped over and that do not spill fuel or wax at the rate of more than 1/4 teaspoon per minute (1.26 mL per minute) if tipped over.

5. The flame shall be enclosed, except as follows:

- 5.1 Openings on the sides shall not be more than 3/8 inch (9.5 mm) in diameter.

- 5.2 Openings on the top and the distance to the top shall be such that a single layer of tissue paper placed on the top will not ignite in 10 seconds.

6. Chimneys shall be made of noncombustible materials. Such chimneys shall be securely attached to the open-flame device,

EXCEPTION: The chimney need not be attached to any open-flame device that will self-extinguish if the device is tipped over.

7. Fuel canisters shall be safely sealed for storage,

8. Storage and handling of combustible liquid shall be in accordance with Article 79,

9. Shades, if used, shall be made of noncombustible materials and securely attached to the open-flame device holder or chimney,

10. Candelabra with flame-lighted candles shall be securely fastened in place to prevent overturning and located away from occupants using the area and away from possible contact of drapes, curtains or other combustibles, and

11. When, in the opinion of the chief, adequate safeguards have been taken, hand-held flame-lighted candles can be allowed. Hand-held candles shall not be passed from one person to another while lighted.

2501.18.4 Theatrical performances. When approved by the chief, open-flame devices used in conjunction with theatrical performances are allowed to be used when adequate safety precautions have been taken.

2501.19 Standby Personnel. When, in the opinion of the chief, it is essential for public safety in a place of assembly or any other place where people congregate, due to the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall employ one or more qualified persons, as required and approved by the chief, to be on duty at such place. Such individuals shall be subject to the chief's orders at all times when so employed and shall be in uniform and remain on duty during the times such places are open to the public, or when such activity is being conducted. Before each performance or the start of such activity, such individuals shall inspect the required fire appliances provided to see that they are in proper place and in good working order, and shall keep diligent watch for fires during the time such place is open to the public or such activity is being conducted and take prompt measures for extinguishment of fires that may occur. Such individuals shall not be required or permitted, while on duty, to perform any other duties than those herein specified.

NEW SECTION

WAC 51-34-5200 Article 52—Motor vehicle fuel-dispensing stations.

NEW SECTION

WAC 51-34-5201 Section 5201—General.

5201.1 Scope. Automotive, marine and aircraft motor vehicle fuel-dispensing stations shall be in accordance with Article 52 and U.F.C. Standard 52-1. Such operations shall include both public accessible and private operations. Flammable and combustible liquids and LP-gas shall also be in accordance with Articles 79 and 82.

EXCEPTIONS: Class II or III liquids may be transferred from tank vehicles into fuel tanks of motor vehicles when approved by the chief, and under the following conditions:

1. Only diesel fuel will be allowed and each premises shall require a separate permit issued in accordance with Section 105,
2. Tank vehicles shall meet the requirements of DOT and U.F.C. Standard 79-4 and as approved by the chief,
3. The tank vehicle, while in service, shall not be left unattended,
4. A fire extinguisher with a classification of 2A-20BC shall be readily available at the fueling site,
5. There shall be signs stating "NO SMOKING OR OPEN FLAME WITHIN 25 FEET (7620 mm)" readily visible at the fueling site,
6. There shall be adequate lighting for night time operations,
7. For other than marine motor vehicles, the fuel hose shall not exceed 50 feet (15 240 mm) in length,
8. Approved automatic closing nozzles without a latch open device shall be used,
9. Communication devices shall be available in accordance with Section 5201.6.3,
10. Tank vehicles shall have emergency shut off valves as approved by the chief,
11. Dispensing shall be done in accordance with Section 7903.3.3,
12. At least 20 feet (6096 mm) from any source of ignition,

13. The applicant shall comply with all applicable federal, state and local environmental laws and regulations as a condition of permit,

14. The private fueling area shall be located on an area graded in a manner to direct the spill away from buildings, storage and property lines.

5201.2 Definitions. For definitions of CNG, COMBUSTIBLE LIQUID, FLAMMABLE LIQUID and MOTOR VEHICLE FUEL-DISPENSING STATION, see Article 2.

5201.3 Permits and Plans.

5201.3.1 Permits. Permits are required for motor vehicle fuel-dispensing stations. See Section 105, Permit m.4.

5201.3.2 Plans and specifications. Plans and specifications shall be submitted for review and approval prior to the installation or construction of a motor vehicle fuel-dispensing station. A site plan shall be submitted which illustrates the location of flammable liquid, LP-gas or CNG storage vessels, and their spatial relation to each other, property lines and building openings. Both aboveground and underground storage vessels shall be shown on plans. For each type of station, plans and specifications shall include, but not be limited to, the following:

1. **Flammable and Combustible Liquids:** the type and design of underground and aboveground liquid storage tanks; the location and design of the fuel dispensers and dispenser nozzles; the design and specifications for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specifications for fuel storage and venting components.

2. **Liquefied Petroleum Gas:** equipment and components as required in U.F.C. Standard 82-1; the location and design of the LP-gas dispensers and dispenser nozzles; the design, specifications and location for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specifications for fuel storage and pressure-relief components.

3. **Compressed Natural Gas:** when provided, the location of CNG compressors; the location and design of CNG dispensers and vehicle fueling connections; the design, specification and location for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specifications for fuel storage and pressure-relief components.

5201.4 Location of Dispensing Operations and Storage Vessels.

5201.4.1 Dispensing operations.

5201.4.1.1 General. Flammable and combustible liquids, CNG and LP-gas shall not be dispensed in buildings and dispensers for such products shall not be located in buildings.

EXCEPTIONS:

1. Dispensing of flammable and combustible liquids inside buildings in accordance with Section 5202.
2. Dispensing of compressed natural gas (CNG) in accordance with Section 5204.

See Sections 5202, 5203 and 5204 for additional requirements.

5201.4.1.2 Dispensing devices. Dispensing devices shall be located as follows:

1. Ten feet (3048 mm) or more from property lines,
2. Ten feet (3048 mm) or more from buildings having combustible exterior wall surfaces or buildings having noncombustible exterior wall surfaces that are not part of a one-hour fire- resistive assembly,

EXCEPTION: Weather protection shelters constructed in accordance with Uniform Fire Code Standard 52-1.

3. Such that all portions of the vehicle being fueled will be on the premises of the motor vehicle fuel-dispensing station,
4. Such that the nozzle, when the hose is fully extended, will not reach within 5 feet (1524 mm) of building openings, and
5. Twenty feet (6096 mm) or more from fixed sources of ignition.

5201.4.1.3 Bulk plants. Motor vehicle fuel-dispensing stations located at bulk plants shall be separated by a fence or similar barrier from the area in which bulk operations are conducted. See also Section 5202.3.1.

5201.4.2 Storage Vessels. Storage vessels for LP-gas and CNG shall be located 20 feet (6096 mm) or more from aboveground tanks containing flammable or combustible liquids.

5201.5 Installation of Dispensing Devices.

5201.5.1 Protection of dispensers. Dispensing devices shall be protected against physical damage from vehicles by mounting on a concrete island 6 inches (152.4 mm) or more in height or by other approved methods.

5201.5.2 Dispenser installation. Dispensing devices shall be secured in an approved manner. Dispensers shall not be secured to the island using piping or conduit.

5201.5.3 Emergency shutdown devices. Emergency shutdown devices shall be provided for all fuel dispensers. Emergency shutdown devices for exterior fuel dispensers shall be located within 100 feet (30 480 mm) of, but not less than 20 feet (6096 mm) from, dispensers. For interior fuel-dispensing operations, the emergency shutdown devices shall be installed at approved locations. Activation of the emergency shutdown devices shall stop the transfer of fuel to the dispensers and close all valves which supply fuel to the dispensers. Such devices shall be distinctly labeled EMERGENCY FUEL SHUTDOWN DEVICE. Signs shall be provided in approved locations.

5201.5.4 Dispenser electrical disconnects. An electrical disconnect switch shall be provided for all dispensers in accordance with the Electrical Code. The disconnect shall be placed in the OFF position before repairing dispensers and before closing a motor vehicle fuel-dispensing station.

5201.6 Supervision of Dispensing Operations.

5201.6.1 General. The dispensing of fuel into the fuel tanks of automobile, marinecraft or aircraft, or portable containers shall be under the supervision of a qualified attendant at all times.

EXCEPTION: Unsupervised dispensing of flammable and combustible liquids, LP-gas and CNG as a motor fuel is allowed in accordance with Sections 5201.6.3, 5202, 5203 and 5204.

5201.6.2 Attendants. The attendant's primary function shall be to supervise, observe and control the dispensing of motor fuels. The attendant shall prevent the dispensing of flammable and combustible liquids and flammable gases into containers not in compliance with this code, control sources of ignition, give immediate attention to accidental spills or releases, and be prepared to use fire extinguishers. A method of communicating with the fire department shall be provided for the attendant.

5201.6.3 Unsupervised dispensing. Unsupervised dispensing is allowed when the owner or operator provides, and is accountable for, daily site visits, regular equipment inspection and maintenance, conspicuously posted instructions for the safe operation of dispensing equipment, and posted telephone numbers for the owner or operators. A sign, in addition to the signs required by Section 5201.8 shall be posted in a conspicuous location reading:

IN CASE OF FIRE, SPILL OR RELEASE

1. Use emergency pump shutoff!
2. Report the accident!

Fire Department Telephone No. _____
Facility address _____

During hours of operation, stations having unsupervised dispensing shall be provided with a fire alarm transmitting device. A telephone not requiring a coin to operate is acceptable.

5201.7 Sources of Ignition. Electrical equipment shall be in accordance with the Electrical Code.

Smoking and open flames shall be prohibited in areas where fuel is dispensed. The engines of vehicles being fueled shall be stopped.

5201.8 Signs. Signs prohibiting smoking, prohibiting dispensing into unapproved containers and requiring vehicle engines to be stopped during fueling shall be conspicuously posted within sight of each dispenser.

5201.9 Fire Protection. Portable fire extinguishers shall be provided as set forth in U.F.C. Standard 10-1.

5201.10 Clearance from Combustible Materials. Weeds, grass, brush, trash and other combustible materials shall be kept not less than 10 feet (3048 mm) from fuel storage vessels and fuel-handling equipment.

5201.11 Maintenance. Fueling systems shall be maintained in proper operating condition.

NEW SECTION

WAC 51-34-5204 Section 5204—Compressed natural gas motor vehicle fuel-dispensing stations.

5204.1 General. Automotive, marine and aircraft motor vehicle fuel-dispensing stations utilizing CNG shall be in accordance with Section 5204.

PERMANENT

5204.2 Standards. Compressed natural gas motor vehicle fuel-dispensing operations and facilities shall be in accordance with U.F.C. Standard 52-1.

5204.3 Approvals.

5204.3.1 General. Storage vessels and equipment used for the storage, compression or dispensing of CNG shall be approved or listed in accordance with Section 5204.3.

5204.3.2 Approved equipment. Containers; compressors; pressure-relief devices, including pressure-relief valves; and pressure regulators and piping used for CNG shall be approved.

5204.3.3 Listed equipment. Hoses, hose connections, dispensers, gas-detection systems and electrical equipment used for CNG shall be listed. Vehicle fueling connections shall be listed and labeled.

5204.4 Attendants. Motor vehicle fueling operations shall be conducted by qualified attendants or in accordance with Section 5204.6 by persons trained in the proper handling of CNG.

5204.5 Location of Dispensing Operations and Equipment.

5204.5.1 General. Compression, storage and dispensing equipment shall be located aboveground.

5204.5.2 Maximum capacity within established limits. Within the limits established by law restricting the storage of CNG for the protection of heavily populated or congested commercial areas, the aggregate capacity of any one installation shall not exceed 183,000 cubic feet (5 181 974 L).

5204.5.3 Location on property. In addition to the requirements of Section 5201.4, compression, storage and dispensing equipment shall be installed as follows:

1. Not beneath power lines,
2. Ten feet (3048 mm) or more from the nearest building or property line which could be built on, public street, sidewalk, or source of ignition, and
3. Twenty-five feet (7620 mm) or more from the nearest rail of any railroad track and 50 feet (15 240 mm) or more from the nearest rail of any railroad main track or any railroad or transit line where power for train propulsion is provided by an outside electrical source such as third rail or overhead catenary.
4. Fifty feet (15 240 mm) or more from the vertical plane below the nearest overhead wire of a trolley bus line.

EXCEPTION: Vehicle Fueling Appliances located in accordance with Uniform Fire Code Standard 52-1.

5204.6 Private Fueling of Motor Vehicles. Self-service CNG-dispensing systems, including key, code and card lock dispensing systems, shall be limited to the filling of permanently mounted fuel containers on CNG-powered vehicles.

In addition to the requirements in Section 5201.6, self-service CNG-dispensing systems shall be in accordance with the following:

1. The system shall be provided an emergency shutoff switch located within 100 feet (30 480 mm) of, but not less than 20 feet (6096 mm) from dispensers, and

2. The owner of the dispensing facility shall ensure the safe operation of the system and the training of users.

5204.7 Pressure Regulators. Pressure regulators shall be designed, installed or protected so their operation will not be affected by the elements (freezing rain, sleet, snow or ice), mud or debris. This protection is allowed to be integral with the regulator.

5204.8 Valves. Gas piping to equipment shall be provided with a remote, readily accessible manual shutoff valve.

5204.9 Emergency Shutdown Equipment. An emergency shutdown device shall be located within 100 feet (30 480 mm) of, but not less than 20 feet (6096 mm) from, dispensers and shall also be provided in the compressor area. Upon activation, the emergency shutdown shall automatically shut off the power supply to the compressor and close valves between the main gas supply and the compressor and between the storage containers and dispensers.

5204.10 Discharge of CNG from Motor Vehicle Fuel Storage Containers.

5204.10.1 Applicability. The discharge of CNG from motor vehicle fuel cylinders for the purposes of maintenance, cylinder certification, calibration of dispensers or other activities shall be in accordance with Section 5204.10.

5204.10.2 Methods.

5204.10.2.1 General. The discharge of CNG from motor vehicle fuel cylinders shall be accomplished through a use-closed transfer system or an approved method of atmospheric venting.

5204.10.2.2 Use-closed transfer system. A documented procedure which explains the logical sequence for discharging the cylinder shall be provided to the chief for review and approval. The procedure shall include what actions the operator will take in the event of a low-pressure or high-pressure natural gas release during the discharging activity. A drawing illustrating the arrangement of piping, regulators and equipment settings shall be provided to the chief for review and approval. The drawing shall illustrate the piping and regulator arrangement and shall be shown in spatial relation to the location of the compressor, storage vessels and emergency shutdown devices.

5204.10.2.3 Atmospheric venting.

5204.10.2.3.1 Plans and specifications. A drawing illustrating the location of the vessel support, piping, the method of grounding and bonding, and other requirements specified herein shall be provided to the chief for review and approval.

5204.10.2.3.2 Cylinder stability. A method of rigidly supporting the vessel during the venting of CNG shall be provided. The selected method shall provide not more than two points of support and shall prevent the horizontal and lateral movement of the vessel. The system shall be designed to prevent the movement of the vessel based on the highest gas-release velocity through valve orifices at the

vessel's rated pressure and volume. The structure or appurtenance shall be constructed of noncombustible materials.

5204.10.2.3.3 Separation. The structure or appurtenance used for stabilizing the cylinder shall be separated from the site equipment, features and exposures and shall be located in accordance with Table 5204.10-A.

5204.10.2.3.4 Grounding and bonding. The structure or appurtenance used for supporting the cylinder shall be grounded in accordance with the Electrical Code. The cylinder valve shall be bonded prior to the commencement of venting operations.

5204.10.2.3.5 Vent tube. A vent tube which will divert the gas flow to atmosphere shall be installed on the cylinder prior to the commencement of venting and purging operation. The vent tube shall be constructed of pipe or tubing materials in accordance with Article 90, Standard No. a.1.5.

Piping materials specified in Section 2-8.4 of U.F.C. Standard 52-1 shall not be used. The vent tube shall be capable of dispersing the gas a minimum of 10 feet (3048 mm) above grade level. The vent tube shall not be provided with a rain cap or other feature which would limit or obstruct the gas flow.

At the connection fitting of the vent tube and the CNG cylinder, a listed bidirectional detonation flame arrester shall be provided.

5204.10.2.3.6 Signage. Approved NO SMOKING signs shall be posted within 10 feet (3048 mm) of the cylinder support structure or appurtenance. Approved CYLINDER SHALL BE BONDED signs shall be posted on the cylinder support structure or appurtenance.

NEW SECTION

WAC 51-34-6100 Article 61—Oil-burning equipment.

NEW SECTION

WAC 51-34-6103 Section 6103—Permits. See Section 105.8 for permits. A permit is required to remove, abandon, place temporarily out of service or otherwise dispose of a combustible liquids tank.

NEW SECTION

WAC 51-34-6104 Section 6104—Electrical wiring and equipment. Electrical wiring and equipment used in connection with oil-burning equipment shall be installed in accordance with the Electrical Code.

NEW SECTION

WAC 51-34-6105 Section 6105—Fuel oil. The fuel oil used in a burner shall be of a type approved for the burner and in accordance with the burner manufacturer's recommendations.

NEW SECTION

WAC 51-34-6106 Section 6106—Abandonment of tanks. Tanks and piping serving oil-burning equipment which have been out of service for a period of one year shall be removed from the ground or abandoned in place in accordance with Section 7902.1.7 of this code.

NEW SECTION

WAC 51-34-6107 Section 6107—Portable unvented oil-burning heating appliances and unvented decorative gas logs and fireplaces.

6107.1 General. The design, construction and use of portable unvented oil-burning heating appliances shall be in accordance with Section 6107 and other applicable provisions of this code.

6107.2 Equipment. Portable unvented oil-burning heating appliances shall be listed and shall be limited to a fuel tank capacity of 2 gallons (7.6 L).

EXCEPTION: Appliances approved for temporary use during construction processes are allowed to have a greater fuel tank capacity, provided such capacity does not exceed the terms of the listing of the appliance.

6107.3 Location. The use of listed portable unvented oil-burning heating appliances shall be limited to supplemental heating in Groups S, Divisions 3, 4, and 5 and Group U Occupancies.

EXCEPTIONS:

1. When approved by the chief, portable unvented oil-burning heating appliances may be used in any occupancy during construction when such use is necessary for the construction and the use does not represent a hazard to life or property.
2. Approved, unvented portable oil-fueled heaters may be used as a supplemental heat source in any Group B, F-2, M, R or U Occupancy provided that such heaters shall not be located in any sleeping room or bathroom, and shall comply with RCW 19.27A.080, 19.27A.090, 19.27A.100, 19.27A.110, and 19.27A.120.
3. Approved, unvented decorative gas logs and decorative fireplaces may be installed, used, maintained and permitted to exist in any Group I or R Occupancy, except bathrooms and bedrooms. An unvented decorative gas log is a listed natural or liquefied petroleum gas burning log with an open flame consisting of a metal frame or base supporting simulated logs which is designed so that its primary function lies in the aesthetic effect of the logs and flame. An unvented decorative fireplace is a listed unvented gas log permanently installed in a freestanding enclosure or zero clearance enclosure designed and approved for installation in walls or other building structures. Unvented decorative gas logs and fireplaces shall:
 1. Be equipped with an approved oxygen-depletion sensor,
 2. Be listed,
 3. Not be installed in any room which does not have an alternative primary source of heat,
 4. Have free air volume of at least 50 cubic feet (1.4 m³) for each 1,000 Btu (2.2 mm²/W) of thermal output,
 5. Be permanently installed, and
 6. Not be equipped with or connected to any automatic ignition or shut-off device except the oxygen-depletion sensor.

6107.4 Fuel. The grade and type of fuel shall be in accordance with the listing for the appliance. Storage and handling of fuel shall be in accordance with Article 79.

NEW SECTION

WAC 51-34-7800 Article 78—Fireworks and pyrotechnic special effects material.

NEW SECTION

WAC 51-34-7802 Section 7802—Fireworks.

7802.1 General. Storage, use and handling of fireworks shall be in accordance with Chapter 70.77 RCW and local ordinances consistent with Chapter 70.77 RCW.

NEW SECTION

WAC 51-34-7900 Article 79—Flammable and combustible liquids.

NEW SECTION

WAC 51-34-7902 Section 7902—Storage.

7902.1 General.

7902.1.1 Applicability. Storage of flammable and combustible liquids in containers, cylinders and tanks shall be in accordance with Sections 7901 and 7902.

For motor vehicle fuel-dispensing stations, see Article 52.

7902.1.2 Change of tank contents. Tanks subject to change in contents shall be in accordance with Section 7902.1.8. Prior to a change in contents, the chief is authorized to require testing of a tank.

7902.1.3 Labeling and signs.

7902.1.3.1 Smoking and open flames. Signs shall be posted in storage areas prohibiting open flames and smoking. See also Section 7901.9.

7902.1.3.2 Label or placard. Tanks over 100 gallons (378.5 L) in capacity permanently installed or mounted and used for the storage of Class I, II or III-A liquids shall bear a label or placard identifying the material therein in accordance with U.F.C. Standard 79-3.

EXCEPTIONS:

1. Tanks of 300 gallons (1135.5 L) capacity or less located on private property and used for heating and cooking fuels in single-family dwellings.
2. Tanks located underground.

7902.1.4 Sources of ignition. Smoking and open flames are prohibited in storage areas. See also Section 7901.10.

7902.1.5 Explosion control. Explosion control, equivalent protection devices or suppression systems, or a barricade shall be provided in accordance with the Building Code when Class I liquids are stored inside buildings in excess of the exempt amounts, or where explosive vapor-air mixtures could develop under normal operating conditions.

EXCEPTION: Class I-B and I-C liquids when provided with continuous ventilation at the rate set forth in Section 8003.1.8.

See also Sections 7902.5.11.7, 7902.5.12.7, 7903.2.3.4.3 and 7903.2.3.5.3.

7902.1.6 Separation from incompatible materials and accumulation of combustibles. Storage of flammable and

combustible liquids shall be separated from incompatible hazardous materials in accordance with Section 8001.9.8.

Grass; weeds; combustible materials; and waste Class I, II and III-A liquids shall not be accumulated in an unsafe manner at a storage site.

7902.1.7 Abandonment and status of tanks.

7902.1.7.1 General. Tanks taken out of service as a result of a property's being abandoned or its use being changed shall be removed or abandoned in place in accordance with Section 7902.1.7.2.3 or 7902.1.7.3.3. The time schedules stipulated shall not apply.

In other cases, tanks taken out of service shall be safeguarded or removed in accordance with Section 7902.1.7.

7902.1.7.2 Underground tanks.

7902.1.7.2.1 Temporarily out of service. Underground tanks temporarily out of service shall have the fill line, gage opening, vapor return and pump connection secure against tampering. Vent lines shall remain open and be maintained in accordance with Sections 7902.1.10 and 7902.2.6.

7902.1.7.2.2 Out of service 90 days. Underground tanks not used for a period of 90 days shall be safeguarded in accordance with the following or removed in accordance with Section 7902.1.7.4:

1. Flammable or combustible liquids shall be removed from the tank,

2. All piping, including fill line, gage opening, vapor return and pump connection, shall be capped or plugged and secured from tampering, and

3. Vent lines shall remain open and be maintained in accordance with Section 7902.1.10 and 7902.2.6.

7902.1.7.2.3 Underground tanks out of service for one year. Underground tanks which have been out of service for a period of one year shall be removed from the ground in accordance with Section 7902.1.7.4 and the site shall be restored in an approved manner. When the chief determines that the removal of the tank is not necessary, abandonment in place is allowed.

7902.1.7.2.4 Tanks abandoned in place. Tanks abandoned in place shall be abandoned as follows:

1. Flammable and combustible liquids shall be removed from the tank and connected piping,

2. The suction, inlet, gage, vapor return and vapor lines shall be disconnected,

3. The tank shall be filled completely with an inert solid material approved by the chief,

4. Remaining underground piping shall be capped or plugged, and

5. A record of tank size, location and date of abandonment shall be retained.

7902.1.7.2.5 Reinstallation of underground tanks. Tanks which are to be reinstalled for flammable or combustible liquid service shall comply with all of the provisions of

Article 79 and shall be tested in a manner approved by the chief.

7902.1.7.3 Aboveground tanks.

7902.1.7.3.1 Temporarily out of service. Aboveground tanks temporarily out of service shall have all connecting lines isolated from the tank and secured against tampering.

7902.1.7.3.2 Out of service 90 days. Aboveground tanks not used for a period of 90 days shall be safeguarded in accordance with Section 7902.1.7.2.2 or removed in accordance with Section 7902.1.7.4.

7902.1.7.3.3 Aboveground tanks out of service one year. Aboveground tanks which have been out of service for a period of one year shall be removed in accordance with Section 7902.1.7.4.

EXCEPTION: Tanks located at refineries, bulk plants and terminals that are in operation.

7902.1.7.4 Removing tanks.

7902.1.7.4.1 General. Removal of aboveground and underground tanks shall be in accordance with all of the following:

1. Flammable and combustible liquids shall be removed from the tank and connecting piping,
2. Piping at tank openings which is not to be used further shall be disconnected,
3. Piping shall be removed from the ground,

EXCEPTION: Piping is allowed to be abandoned in place when the chief determines that removal is not practical. Abandoned piping shall be capped and safeguarded as required by the chief.

4. Tank openings shall be capped or plugged, leaving a 1/8-inch to 1/4-inch-diameter (3.2 mm to 6.4 mm) opening for pressure equalization, and

5. Tanks shall be purged of vapor and inerted prior to removal.

7902.1.7.4.2 Disposal. Tanks shall be disposed of in accordance with federal, state and local regulations.

7902.1.8 Design, construction and general installation requirements for tanks, containers and equipment.

7902.1.8.1 Portable tanks, containers and equipment.

7902.1.8.1.1 General. Portable tanks, containers and equipment used or intended to be used for the storage of flammable or combustible liquids shall be of an approved type. Containers and portable tanks shall be designed and constructed in accordance with nationally recognized standards. See Article 90, Standards u.1.2 and u.1.12 and U.F.C. Standard 79-5. The capacity of individual containers and portable tanks for liquids shall be in accordance with Table 7902.1-A.

EXCEPTION: Medicines, beverages, foodstuffs and cosmetics when packaged according to commonly accepted practices for retail sales.

7902.1.8.1.2 Use of tank cars and tank vehicles as storage tanks. Tank cars and tank vehicles shall not be used as storage tanks.

7902.1.8.1.3 Plastic containers. Plastic containers shall not be used for storage of Class I or II liquids unless such containers are listed and approved for such storage or the containers are stored in liquid storage rooms or liquid storage warehouses. See Sections 7902.5.11 and 7902.5.12.

See also Section 7902.5.10.2.2 for additional limitations.

7902.1.8.2 Tanks.

7902.1.8.2.1 General. The design, fabrication and construction of tanks shall be in accordance with recognized good engineering practice and nationally recognized standards. See Article 90, Standards a.3.1, a.3.2, a.3.3, a.3.4, a.3.5, a.4.8, u.1.3, u.1.5, u.1.7 and u.1.13.

7902.1.8.2.2 Use of tank cars and tank vehicles as storage tanks. Tank cars and tank vehicles shall not be used as storage tanks.

7902.1.8.2.3 Pressure limitations for tanks. Tanks shall be designed for the pressures to which they are subjected as follows:

1. Atmospheric tanks shall not exceed operating pressures of 1 psig (6.89 kPa) and shall not exceed 2.5 psig (17.2 kPa) under emergency venting conditions. Such tanks shall not be used for the storage of a liquid at a temperature at or above its boiling point,

2. Low-pressure tanks and pressure vessels are allowed to be used as atmospheric tanks,

3. Pressure vessels are allowed to be used as low-pressure tanks,

4. The normal operating pressure of any tank or pressure vessel shall not exceed the design pressure, and

5. Unless otherwise approved by the chief, fired and unfired pressure vessels shall be designed and constructed in accordance with nationally recognized standards. See Article 90, Standard a.3.4 and a.5.1.

7902.1.8.2.4 Locations subject to flooding. Where a tank is located in an area that is subject to flooding, uplift protection shall be provided. See Appendix II-B.

7902.1.8.2.5 Acceptance testing. Prior to being put into service, tanks shall be tested in accordance with nationally recognized standards.

7902.1.8.2.6 Product compatibility. Tank construction materials shall be compatible with the liquid to be stored. The chief is authorized to require that evidence be submitted to substantiate that the properties of the liquid are compatible with the tank.

7902.1.8.2.7 Use of combustible materials in tank construction. Tanks constructed of combustible materials shall be subject to the approval of the chief and limited to:

1. Installation underground,
2. Case where required by the properties of the liquid stored,
3. Storage of Class III-B liquids aboveground in areas not potentially exposed to a spill or leak of Class I or II liquid, or

4. Storage of Class III-B liquids inside a building protected by an approved automatic fire-extinguishing system.

7902.1.8.2.8 Use of concrete in tank construction. Unlined concrete tanks are allowed for storing liquids having a gravity of 40 degrees API or heavier. Concrete tanks with special linings are allowed for other services, provided the design is in accordance with approved engineering practices. See also Section 7902.1.8.2.11.

7902.1.8.2.9 Tank linings. Tanks are allowed to have combustible or noncombustible linings.

7902.1.8.2.10 Tanks containing liquids with high specific gravity and low temperature liquids. Special engineering consideration shall be used if the specific gravity of the liquid to be stored exceeds that of water or if the tank is designed to contain liquid temperature below 0°F. (-17.8°C.).

7902.1.8.2.11 Existing oil storage reservoirs. Existing oil storage reservoirs with a concrete lining and with a combustible roof covering and built prior to the adoption of requirements set forth in Section 7902.1.8 are allowed to be continued for the storage of petroleum products with a flash point in excess of 150°F. (65.6°C.).

7902.1.9 Seismic design. In areas subject to earthquakes, the tank supports and connections shall be designed to resist damage as a result of seismic activity in accordance with the Building Code.

7902.1.10 Tank vents for normal venting.

7902.1.10.1 General. Tank vents for normal venting shall be installed and maintained in accordance with Section 7902.1.10. See Section 7902.2.6 for emergency vents.

7902.1.10.2 Vent lines. Vent lines from tanks shall not be used for purposes other than venting unless approved by the chief.

7902.1.10.3 Vent line flame arresters and venting devices. Vent line flame arresters and venting devices shall be installed in accordance with their listings.

Use of flame arresters in piping systems shall be in accordance with nationally recognized standards. See Article 90, Standard a.3.17.

7902.1.10.4 Vent pipe outlets. Vent pipe outlets for tanks storing Class I, II, or III-A liquids shall be located such that the vapors are released at a safe point outside of buildings and not less than 12 feet (3658 mm) above the adjacent ground level. Vapors shall be discharged upward or horizontally away from closely adjacent walls to assist in vapor dispersion. Vent outlets shall be located such that flammable vapors will not be trapped by eaves or other obstructions and shall be at least 5 feet (1524 mm) from building openings or property lines of properties that can be built on.

7902.1.10.5 Installation of vent piping. Vent piping shall be constructed in accordance with Section 7901.11. Vent pipes shall be installed such that they will drain toward the tank without sags or traps in which liquid can collect. Vent pipes shall be installed in such a manner as to not be subject to physical damage or vibration.

7902.1.10.6 Manifolding. Tank vent piping shall not be manifolded unless required for special purposes such as vapor recovery, vapor conservation or air pollution control. Manifolded vent pipes shall be adequately sized to prevent system pressure limits from being exceeded when manifolded tanks are subject to the same fire exposure.

Vent piping for tanks storing Class I liquids shall not be manifolded with vent piping for tanks storing Class II or III liquids unless positive means are provided to prevent the vapors from Class I liquids from entering tanks storing Class II or III liquids, to prevent contamination and possible change in classification of the less volatile liquid.

7902.1.10.7 Vent sizing. Tank venting systems shall be provided with sufficient capacity to prevent blowback of vapor or liquid at the fill opening while the tank is being filled. Vent pipes shall not be less than 1 ¼-inch (31.8 mm) nominal inside diameter. The capacity of the vent shall be based on the filling or withdrawal rate, whichever is greater, and the vent line length. Unrestricted vent piping sized in accordance with Table 7902.1-B is acceptable to prevent back-pressure development in tanks from exceeding 2.5 psig (17.2 kPa). Where tank-venting devices are installed in vent lines, their flow capacities shall be determined in accordance with nationally recognized standards. See Article 90, Standard a.3.11.

7902.1.10.8 Additional requirements for aboveground tanks.

7902.1.10.8.1 General. Atmospheric storage tanks shall be adequately vented to prevent the development of vacuum or pressure sufficient to distort the roof of a cone roof tank or exceed the design pressure in the case of other atmospheric tanks as a result of filling or emptying and atmospheric temperature changes.

Normal vents shall be sized in accordance with nationally recognized engineering standards or shall be at least as large as the filling or withdrawal connection, whichever is larger, but not less than 1 ¼-inch (31.8 mm) nominal inside diameter. See Article 90, Standard a.3.11.

If a tank or pressure vessel has more than one fill or withdrawal connection and simultaneous filling or withdrawal can be made, the vent size shall be based on the maximum anticipated simultaneous flow.

7902.1.10.8.2 Low-pressure tanks and pressure vessels. Low-pressure tanks and pressure vessels shall be adequately vented to prevent pressure or vacuum from exceeding the design pressure of the tank or vessel as a result of filling or emptying and atmospheric temperature changes. Protection shall also be provided to prevent over pressure from pumps discharging into the tank or vessel when the pump discharge pressure can exceed the design pressure of the tank or vessel.

7902.1.10.8.3 Vent outlets and drains. For tanks designed to vent at pressures greater than 2.5 psig (17.2 kPa), vent outlets and drains shall discharge in a manner which prevents localized overheating of or flame impingement on any part of the tank.

7902.1.10.8.4 Tanks and pressure vessels containing Class I liquids. Tanks and pressure vessels storing Class I-A liquids shall be equipped with venting devices which shall normally be closed, except when venting under pressure or vacuum conditions. Tanks and pressure vessels storing Class I-B or I-C liquids shall be equipped with venting devices which shall be normally closed except when venting under pressure or vacuum conditions, or with listed flame arresters.

- EXCEPTIONS:
1. Tanks of 3,000-barrel (476 960 L) capacity or less containing crude petroleum in crude producing areas are allowed to have open vents.
 2. Outside aboveground atmospheric tanks under 1,000-gallon (3785 L) capacity are allowed to have open vents.
 3. Flame arresters or venting devices with integral flame arresters need not be provided for Class I-B and I-C liquids where conditions are such that their use could, in case of obstruction, result in tank damage.

Liquid properties justifying the omission of such devices include, but are not limited to, condensation, corrosiveness, crystallization, polymerization, freezing or plugging. When any of these conditions exist, consideration shall be given to heating, use of devices employing special materials of construction, the use of liquid seals or inerting in accordance with nationally recognized standards for explosion-prevention systems. See Section 101.3.

4. Vent pipes 2 inches (50.8 mm) or less in nominal inside diameter and longer than 10 feet (3048 mm) are allowed to have open vents.

5. Tanks storing gasoline are allowed to have open vents provided the vent pipes do not exceed a 3-inch (76.2 mm) nominal inside diameter.

7902.1.10.9 Additional requirements for underground tanks.

7902.1.10.9.1 General. Tank-venting systems located on underground tanks shall be in accordance with Section 7902.1.10.9.

7902.1.10.9.2 Vent pipes, outlets and devices. Vent pipes shall not be obstructed by devices provided for vapor recovery or other purposes unless the tank and associated piping and equipment are otherwise protected to limit back-pressure development to less than the maximum working pressure of the tank and equipment by providing pressure/vacuum vents, rupture discs or other tank-venting devices installed in the tank vent lines. Vent outlets and devices shall be protected to minimize the possibility of blockage from weather, snow, dirt or insect nests.

7902.1.10.9.3 Tanks containing Class I liquids. Tanks containing Class I-A liquids shall be equipped with pressure/vacuum venting devices with integral flame arresters which shall be normally closed except when venting under pressure or vacuum conditions. Tanks storing Class I-B or I-C liquids shall be equipped with pressure/vacuum venting devices or with listed flame arresters.

- EXCEPTIONS:
1. Vent pipes 2 inches (50.8 mm) or less in nominal inside diameter and longer than 10 feet (3048 mm) shall not be obstructed by devices that will reduce their capacity and, thus, cause extensive back pressure.
 2. Tanks storing gasoline are not required to have pressure/vacuum venting devices except as required for excessive back pressure, or flame arresters, provided the vent does not exceed a 3-inch (76.2 mm) nominal inside diameter.

7902.1.10.9.4 Condensate tanks. Condensate tanks, if utilized, shall be installed and maintained in a manner which will preclude the blocking of the vapor-return piping by liquid. Condensate tanks shall be located such that they will not be subjected to physical damage. The vent pipe shall enter the tank through the top of the tank. The lower end of vent pipes shall not extend into the tank more than 1 inch (25.4 mm).

7902.1.10.9.5 Manifolding. Manifolled vent pipes shall be adequately sized to prevent system pressure limits from being exceeded when manifolled tanks are filled simultaneously. Float-type check valves installed in tank openings connected to manifold vent piping to prevent product contamination are allowed, provided that the static head imposed at the bottom of the tank will not exceed 10 psig (68.9 kPa) if the fill or vent pipe is filled with liquid when the valves are closed.

- EXCEPTION: For motor vehicle fuel-dispensing stations, the capacity of manifolled vent piping shall be sufficient to discharge vapors generated when two manifolled tanks are simultaneously filled.

7902.1.11 Tank vents for emergency venting.

7902.1.11.1 Stationary aboveground tanks. Stationary aboveground tanks shall be provided with emergency venting. For requirements see Section 7902.2.6.

7902.1.11.2 Portable tanks. Portable tanks shall be provided with one or more devices installed in the top with sufficient emergency venting capacity to limit internal pressure under fire-exposure conditions to 10 psig (68.9 kPa) or 30 percent of the bursting pressure of the tank, whichever is greater. The total venting capacity shall not be less than that specified in Sections 7902.2.6.3.1 and 7902.2.6.3.3. At least one pressure-actuated vent having a minimum capacity of 6,000 cubic feet (169.9 m³) of free air per hour at 14.7 psia (101.3 kPa) and 60°F. (15.6°C.) shall be used. It shall be set to open at not less than 5 psig (34.5 kPa). If fusible vents are used, they shall be actuated by elements that operate at a temperature not exceeding 300°F. (148.9°C.). When used for paints, drying oils and similar materials where plugging of the pressure-actuated vent can occur, fusible vents or vents of the type that soften to failure at a maximum of 300°F. (148.9°C.) under fire exposure are allowed for the entire emergency venting requirement.

7902.1.12 Tank openings other than vents.

7902.1.12.1 Inside buildings.

7902.1.12.1.1 General. Connections for tank openings shall be liquid tight. Openings to tanks shall be located outside of buildings at a location free from sources of ignition and not less than 10 feet (3048 mm) away from building openings or of lines of property that can be built on. Such openings shall be provided with a liquid-tight cap which shall be closed when not in use and shall be properly identified.

For top-loaded tanks, a metallic fill pipe shall be designed and installed to minimize the generation of static electricity by terminating the pipe within 6 inches (152.4 mm) of the bottom of the tank, and it shall be installed in a manner which avoids excessive vibration.

7902.1.12.1.2 Vapor recovery. Tank openings provided for the purposes of vapor recovery shall be protected against possible vapor release by means of a spring-loaded check valve or dry-break connections, or other approved device, unless the opening is pipe connected to a vapor-processing system. Openings designed for combined fill and vapor recovery shall also be protected against vapor release unless connection of the liquid delivery line to the fill pipe simultaneously connects the vapor-recovery line. Connections shall be vapor tight.

7902.1.12.1.3 Valves for tank connections. Connections to tanks inside of buildings through which liquid can normally flow shall be provided with an internal or an external valve located as close as practical to the shell of the tank.

For connections to tanks containing Class I or II liquids inside of buildings, such valve or an additional adjacent valve shall be either:

1. Normally closed and remotely activated,
2. Automatic-closing and heat-activated, or

3. As an alternate to valving an approved device on each liquid-transfer connection below the liquid level, except for connections used for emergency disposal, to provide for quick cutoff of flow in the event of fire in the vicinity of the tank is allowed.

7902.1.12.1.4 Overflow protection. Tanks storing Class I, II and III-A liquids inside buildings shall be equipped with a device or other means to prevent overflow into the building. Suitable devices include, but are not limited to, a float valve, a preset meter on the fill line, a valve actuated by the weight of the tank contents, a low head pump which is incapable of producing overflow or a liquid-tight overflow pipe at least one pipe size larger than the fill pipe discharging by gravity back to the outside source of liquid or to an approved location.

7902.1.12.1.5 Piping, valves and fittings. Connections, fittings and other appurtenances shall be installed in accordance with Section 7901.11.

7902.1.12.1.6 Manual gaging. Openings for manual gaging, if independent of the fill pipe, shall be provided with a liquid-tight cap or cover. Covers shall be kept closed when not gaging. If inside a building, such openings shall be protected against liquid overflow and possible vapor release by means of a spring-loaded check valve or other approved device.

7902.1.12.2 Underground.

7902.1.12.2.1 Piping, valves and fittings. Connections, fittings and other appurtenances shall be installed in accordance with Section 7901.11.

7902.1.12.2.2 Manual gaging. Openings for manual gaging, if independent of the fill pipe, shall be provided with a liquid-tight cap or cover. Covers shall be kept closed when not gaging. If inside a building, such openings shall be protected against liquid overflow and possible vapor release by means of a spring-loaded check valve or other approved device.

7902.1.12.2.3 Fill pipe and discharge lines. Fill pipe and discharge lines shall enter tanks only through the top. Fill lines shall be sloped toward the tank. Underground tanks for Class I liquids having a capacity of more than 1,000 gallons (3785 L) shall be equipped with a tight fill device for connecting the fill hose to the tank.

Overfill protection shall be provided in accordance with Section 7902.6.5.

For Class I liquids other than crude oil, gasoline and asphalt, the fill pipe shall be designed and installed in a manner which will minimize the possibility of generating static electricity by terminating within 6 inches (152.4 mm) of the bottom of the tank.

7902.1.12.2.4 Location of connections that are made or broken. Filling, withdrawal and vapor-recovery connections for Class I, II and III-A liquids which are made and broken shall be located outside of buildings at a location away from sources of ignition and not less than 5 feet (1524 mm) away from building openings. Such connections shall be closed and liquid tight when not in use and shall be properly identified.

7902.1.12.2.5 Protection against vapor release. Tank openings provided for purposes of vapor recovery shall be protected against possible vapor release by means of a spring-loaded check valve or drybreak connection, or other approved device, unless the opening is pipe-connected to a vapor-processing system. Openings designed for combined fill and vapor recovery shall also be protected against vapor release unless connection of the liquid delivery line to the fill pipe simultaneously connects the vapor-recovery line. Connections shall be vapor tight.

7902.1.12.3 Exterior aboveground. Openings for manual gaging on tanks storing Class I liquids shall be provided with a vapor-tight cap or cover. Such covers shall be closed when not gaging. See also Section 7902.2.7.

7902.1.13 Supports, foundations and anchorage.

7902.1.13.1 General. Supports, foundations and anchorage for aboveground tanks shall be in accordance with Section 7902.1.13.

7902.1.13.2 Tanks at grade. Tanks shall rest on the ground or on foundations made of concrete, masonry, piling or steel. Tank foundations shall be designed to minimize the possibility of uneven settling of the tank and to minimize corrosion in any part of the tank resting on the foundation.

7902.1.13.3 Tanks above grade. Tanks shall be securely supported. Supports for tanks storing Class I, II or III-A liquids shall be of concrete, masonry or protected steel. Single wood timber supports, not cribbing, laid horizontally, are allowed for outside aboveground tanks when the bottom of the tank is not more than 12 inches (304.8 mm) above grade.

7902.1.13.4 Fire protection of steel supports. Steel supports or piling for aboveground tanks storing Class I, II or III-A liquids shall have a fire-resistance rating of not less than two hours, except that solid web steel saddles need not be protected if the bottom of the tank is less than 12 inches (304.8 mm) above grade. At the discretion of the chief,

water-spray protection in accordance with U.F.C. Standard 79-2 or the Building Code or equivalent may be used. See U.B.C. Standard 9-1.

7902.1.13.5 Design of supports. The design of the supporting structure for tanks shall be in accordance with well-established engineering principles of mechanics and shall be in accordance with the Building Code.

7902.1.14 Stairs, platforms and walkways. Stairs, platforms and walkways shall be of noncombustible construction and shall be designed and constructed in accordance with the Building Code.

7902.2 Stationary Aboveground Tanks Outside of Buildings.

7902.2.1 General. Stationary aboveground tanks outside of buildings shall be in accordance with Sections 7902.1 and 7902.2.

7902.2.2 Tank locations.

7902.2.2.1 Locations where aboveground tanks are prohibited. Storage of Class I and II liquids in aboveground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited. (See sample adoption ordinance, Section 4.)

7902.2.2.2 Location of tanks with pressures 2.5 psig (17.2 kPa) or less. Aboveground tanks operating at pressures not exceeding 2.5 psig (17.2 kPa) for storage of Class I, II or III-A liquids, which are designed with a weak roof-to-shell seam or equipped with emergency venting devices limiting pressures to 2.5 psig (17.2 kPa), shall be located in accordance with Table 7902.2-A.

- EXCEPTIONS:**
1. Vertical tanks having a weak roof-to-shell seam and storing Class III-A liquids are allowed to be located at one half the distances specified in Table 7902.2-A, provided that the tanks are not within a diked area or drainage path for a tank storing Class I or II liquids.
 2. Liquids with boilover characteristics and unstable liquids. See Sections 7902.2.2.4 and 7902.2.2.5.

7902.2.2.3 Location of tanks with pressures exceeding 2.5 psig (17.2 kPa). Aboveground tanks for the storage of Class I, II or III-A liquids operating at pressures exceeding 2.5 psig (17.2 kPa) or equipped with emergency venting allowing pressures to exceed 2.5 psig (17.2 kPa) shall be located in accordance with Table 7902.2-B.

- EXCEPTION:** Liquids with boilover characteristics and unstable liquids. See Sections 7902.2.2.4 and 7902.2.2.5.

7902.2.2.4 Location of tanks for boilover liquids. Aboveground tanks for storage of liquids with boilover characteristics shall be located in accordance with Table 7902.2-C.

7902.2.2.5 Location of tanks for unstable liquids. Aboveground tanks for the storage of unstable liquids shall be located in accordance with Table 7902.2-D.

7902.2.2.6 Location of tanks for Class III-B liquids. Aboveground tanks for the storage of Class III-B liquids, excluding unstable liquids, shall be located in accordance with Table 7902.2-E, except when located within a diked area or drainage path for a tank or tanks storing Class I or

II liquids. When a Class III-B liquid storage tank is within the diked area or drainage path for a Class I or II liquid, distances required by Section 7902.2.2.2 shall apply.

7902.2.2.7 Reduction of separation distances to adjacent property. Where two tank properties of diverse ownership have a common boundary, the chief is authorized to, with the written consent of the owners of the two properties, apply the distances in Sections 7902.2.2.2 through 7902.2.2.6 assuming a single property.

7902.2.3 Separation and orientation of tanks.

7902.2.3.1 Separation between adjacent tanks containing stable liquids. The separation between tanks containing stable liquids shall be in accordance with Table 7902.2-G. When tanks are in a diked area containing Class I or II liquids, or in the drainage path of Class I or II liquids, and are compacted in three or more rows or in an irregular pattern, the chief is authorized to require greater separation than that specified in Table 7902.2-G or other means to make tanks in the interior of the pattern accessible for firefighting purposes.

7902.2.3.2 Separation between adjacent tanks containing unstable liquids. The separation between tanks containing unstable liquids shall not be less than one half the sum of their diameters.

7902.2.3.3 Separation between adjacent tanks containing flammable or combustible liquids and LP-gas. The minimum horizontal separation between an LP-gas container and a Class I, II or III-A liquid storage tank shall be 20 feet (6096 mm) except in the case of Class I, II or III-A liquid tanks operating at pressures exceeding 2.5 psig (17.2 kPa) or equipped with emergency venting allowing pressures to exceed 2.5 psig (17.2 kPa), in which case the provisions of Section 7902.2.3.1 shall apply.

Suitable means shall be provided to prevent the accumulation of Class I, II or III-A liquids under adjacent LP-gas containers such as by dikes, diversion curbs or grading. When flammable or combustible liquid storage tanks are within a diked area, the LP-gas containers shall be outside the diked area and at least 10 feet (3048 mm) away from the center line of the wall of the diked area.

- EXCEPTIONS:**
1. Liquefied petroleum gas containers of 125-gallons (473 L) or less capacity installed adjacent to fuel-oil supply tanks of 660-gallons (2498 L) or less capacity.
 2. Horizontal separation is not required between aboveground LP-gas containers and underground flammable and combustible liquid tanks.

7902.2.3.4 Orientation of horizontal pressure tanks. Where end failure of horizontal pressure tanks and vessels can expose property, the tank shall be placed with the longitudinal axis parallel to the nearest important exposure.

7902.2.4 Foam fire protection.

7902.2.4.1 Required systems. When required by the chief, foam fire protection shall be provided for aboveground tanks, other than pressure tanks operating at or above 1 psig (6.89 kPa), when such tank, or group of tanks spaced less than 50 feet (15 240 mm) apart measured shell to shell, has a liquid surface area in excess of 1,500 square feet (139.4 m²), and is

1. Used for the storage of Class I or II liquids,
2. Used for storage of crude oil,
3. Used for in-process products and is located within 100 feet (30 480 mm) of a fired still, heater, related fractioning or processing apparatus or similar device at a processing plant or petroleum refinery as herein defined, or
4. Considered by the chief as presenting an unusual exposure hazard because of topographical conditions; nature of occupancy, proximity on the same or adjoining property, and height and character of liquids to be stored; and degree of private fire protection to be provided and facilities of the fire department to cope with flammable liquid fires.

7902.2.4.2 Installation. Where foam fire protection is required, installation shall be in accordance with U.F.C. Standard 79-1.

7902.2.4.3 Foam storage. Where foam fire protection is required, foam-producing materials shall be stored on the premises.

EXCEPTIONS: Storage of foam-producing materials off the premises is allowed as follows:

1. Such materials stored off the premises shall be of the proper type suitable for use with the equipment at the installation where required,
2. Such materials shall be immediately available at the storage location at all times,
3. Adequate loading and transportation facilities shall be provided,
4. The time required to deliver such materials to the required location in the event of fire shall not exceed two hours, and
5. At the time of a fire, these off-premises supplies shall be accumulated in sufficient quantities before placing the equipment in operation to ensure foam production at an adequate rate without interruption until extinguishment is accomplished.

7902.2.5 Inerting of tanks with boilover liquids. Liquids with boilover characteristics shall not be stored in fixed roof tanks larger than 150 feet (45 720 mm) in diameter unless an approved inerting system is provided on the tank.

7902.2.6 Emergency relief venting for stationary tanks.

7902.2.6.1 General. Stationary tanks shall be equipped with adequate additional venting that will relieve excessive internal pressure caused by exposure to fires.

EXCEPTION: Tanks larger than 12,000-gallon (45 420 L) capacity storing Class III-B liquids and not within the diked area or the drainage path of Class I or II liquids do not require emergency relief venting.

7902.2.6.2 Type of venting device. Aboveground storage tanks shall be provided with construction or devices that will relieve excessive internal pressure caused by exposure fires.

In a vertical tank, construction methods such as floating roofs, lifter roofs, weak roof-to-shell seams or other approved pressure-relieving construction are allowed as methods providing emergency relief venting. Weak roof-to-shell seams shall be constructed to fail before any other seam.

Devices such as self-closing manhole covers, covers using long bolts that allow the cover to lift under internal pressure, and an additional or larger relief valve or valves are allowed for emergency relief venting. Such devices shall

be approved relief- or pressure/vacuum-venting devices or other devices approved by the chief.

7902.2.6.3 Venting sizing.

7902.2.6.3.1 General. Where emergency relief venting is provided solely by pressure-relieving devices, the total venting capacity of both normal and emergency vents shall be enough to prevent rupture of the shell or bottom of the tank, if vertical, or of the shell or heads, if horizontal. If unstable liquids are stored, the effects of heat or gas resulting from polymerization, decomposition, condensation or self-reactivity shall be taken into account.

The total capacity of both normal and emergency venting devices shall not be less than that derived from Table 7902.2-H, except as provided in Sections 7902.2.6.3.3 and 7902.2.6.3.4. The wetted area of the tank shall be calculated on the basis of 55 percent of the total exposed area of a sphere or spheroid, 75 percent of the total exposed area of a horizontal tank and the first 30 feet (9144 mm) above grade of the exposed shell area of a vertical tank.

See Appendix VI-B for the square footage of typical tank sizes.

7902.2.6.3.2 Tanks and storage vessels over 1 psig (6.89 kPa). For tanks and storage vessels designed for pressures over 1 psig (6.89 kPa), the total rate of venting shall be determined in accordance with Table 7902.2-H, except that when the exposed wetted area of the surface is greater than 2,800 square feet (260.1 m²), the total rate of venting shall be in accordance with Table 7902.2-I or calculated by the following formula:

$$CFH = 1,107 A^{0.82}$$

$$CMH = 220 A^{0.82}$$

For SI:

WHERE:

CFH = venting requirement, in cubic feet of free air per hour (CMH = m³/hr).

A = exposed wetted surface, in square feet (m²).

The foregoing formula is based on Q = 21,000 A^{0.82} (For SI: Q = 43,198 A^{0.82}).

7902.2.6.3.3 Emergency relief vents. The total emergency relief venting capacity for a specific stable liquid can be determined by the following formula:

$$CFH = \frac{1,337 V}{L \sqrt{M}}$$

$$CMH = \frac{743.4 V}{L \sqrt{M}}$$

For SI:

WHERE:

CFH = venting requirement, in cubic feet of free air per hour (CMH = m³/hr).

V = cubic feet (m³) of free air per hour from Table 7902.2-H.

L = latent heat of vaporization of specific liquid, in Btus per pound (cal/g).

M = molecular weight of specific liquids.

7902.2.6.3.4 Reductions in required venting for stable liquids. For tanks containing stable liquids, a reduction in the required airflow rate in Sections 7902.2.6.3.1 and 7902.2.6.3.3 is allowed. Such reduction shall be calculated by multiplying the required airflow rate in Sections 7902.2.6.3.1 or 7902.2.6.3.3 by the appropriate factor listed in the following schedule when protection is provided as indicated. Only one factor can be used for any one tank.

1. 0.5 For drainage in accordance with requirements for remote impounding in Section 7902.2.8.2 for tanks over 200 square feet (18.6 m²) of wetted area.

2. 0.3 For water spray in accordance with U.F.C. Standard 79-2 and drainage in accordance with requirements for remote impounding in Section 7902.2.8.2.

3. 0.3 For insulation in accordance with the following:

3.1 Remain in place under fire-exposure conditions,

3.2 Withstand dislodgment when subjected to hose stream impingement during fire exposure, and

EXCEPTION: The requirement may be waived by the chief where use of solid hose streams is not contemplated or would not be practical.

3.3 Maintain a maximum conductance value of 4.0 Btus per hour per square foot per degree Fahrenheit [81.8 kJ/(hr x m² x °C.)] when the outer insulation jacket or cover is at a temperature of 1,660°F. (904°C.) and when the mean temperature of the insulation is 1,000°F. (538°C.).

4. 0.15 For water spray with insulation in accordance with U.F.C. Standard 79-2 and drainage in accordance with requirements for remote impounding in Section 7902.2.8.2.

7902.2.6.4 Venting device capacity.

7902.2.6.4.1 Identification. Commercial tank venting devices shall bear a stamp indicating the opening pressure, the pressure at which the valve reaches the full-open position and the flow capacity at the latter pressure. If the start-to-open pressure is less than 2.5 psig (17.2 kPa) and the pressure at full-open position is greater than 2.5 psig (17.2 kPa), the flow capacity at 2.5 psig (17.2 kPa) shall also be stamped on the venting device. The flow capacity shall be expressed in cubic feet per hour of air at 60°F. and 14.7 psia (m³ of air/hr at 15.6°C. and 101.3 kPa).

7902.2.6.4.2 Determination of capacity. The flow capacity of tank venting devices under 8 inches (203 mm) in nominal pipe size shall be determined by actual test of each type and size of vent. These flow tests shall be conducted by a qualified impartial outside agency or by the manufacturer when certified by a qualified impartial observer. Calculation of the flow capacity of tank venting devices 8 inches (203 mm) nominal pipe size and larger, including manhole covers with long bolts or equivalent, is allowed provided that the opening pressure is actually measured, the rating pressure and corresponding free orifice area are stated, the work "calculated" appears on the nameplate, and the computation is based on a flow coefficient of 0.5 applied to the rated orifice area.

Calculations shall be performed using the following formula:

$$CFH = 1.667C_f A \sqrt{P_i - P_o}$$

$$\text{For SI: } CMH = 0.1467C_f A \sqrt{P_i - P_o}$$

WHERE:

CFH = venting requirement in cubic feet of free air per hour (CMH = m³/hr).

C_f = 0.5 (the flow coefficient)

A = the orifice area in square inches (mm²).

P_i = the absolute pressure inside the tank in inches of water (kPa).

P_o = the absolute atmospheric pressure outside the tank in inches of water (kPa).

7902.2.6.5 Termination of vent outlets.

7902.2.6.5.1 General. Emergency vents shall not discharge inside a building.

7902.2.6.5.2 Tanks with pressures exceeding 2.5 psig (17.2 kPa). The outlets of vents and vent drains on tanks equipped with emergency venting that allows pressures to exceed 2.5 psig (17.2 kPa) shall be arranged to discharge in a manner which prevents localized overheating of, or flame impingement on, any part of the tank if vapors from such vents are ignited.

7902.2.7 Tank openings other than vents.

7902.2.7.1 General. Connections to aboveground tanks through which liquid can normally flow shall be provided with internal or external valves located as close as practical to the shell of the tank. See also Section 7902.1.12.

Connections below the liquid level through which liquid does not normally flow shall be provided with a liquid-tight closure, such as a valve, plug or blind, or a combination of these.

7902.2.7.2 Fill pipe openings. For top-loaded tanks, metallic fill pipes shall be designed and installed to minimize the generation of static electricity by terminating the pipe within 6 inches (152.4 mm) of the bottom of the tank and shall be installed to avoid excessive vibration.

For Class I-B and I-C liquids, other than crude oils and asphalts, fill pipes shall be designed and installed in a manner which minimizes the possibility of generating static electricity.

Filling and withdrawal connections for Class I, II and III-A liquids which are made and broken shall be located outside of buildings at a location away from sources of ignition and not less than 5 feet (1524 mm) away from building openings. Such connections for any liquid shall be closed, liquid tight when not in use and properly identified.

7902.2.7.3 Openings for vapor recovery. Vapor-recovery systems shall be in accordance with Section 5202.12.

7902.2.7.4 Piping, valves and fittings. Connections, fittings or other appurtenances shall be installed in accordance with Section 7901.11.

7902.2.8 Drainage control and diking.

7902.2.8.1 General. The area surrounding a tank or group of tanks shall be provided with drainage control or shall be diked to prevent accidental discharge of liquid from endangering adjacent tanks, adjoining property or reaching waterways.

EXCEPTION: The chief is authorized to alter or waive these requirements when determined by the chief that such tank or group of tanks does not constitute a hazard to other tanks, waterways or adjoining property, after consideration of special features such as topographical conditions, nature of occupancy and proximity to buildings on the same or adjacent property, capacity and construction of proposed tanks and character of liquids to be stored, and nature and quantity of private and public fire protection provided.

7902.2.8.2 Drainage system. Where protection of adjacent tanks, adjoining property or waterways is by means of a

natural or constructed drainage system, such system shall comply with the following:

1. Drainage shall be provided at a slope of not less than 1 percent away from the tank toward an impounding basin or an approved means of disposal. This termination area and the route of the drainage system shall be so located that a fire occurring in the drainage system will not endanger pumps, manifolds, control valves, electrical equipment, public utilities, fire-protection equipment, tanks, adjoining property or fire apparatus access roads, and

2. Impounding basins and approved means of disposal shall be designed to retain a spill from the largest capacity tank draining into a basin plus the design discharge from fire protection systems including monitor nozzles, as specified in U.F.C. Standard 79-1, Chapter 3, which flow into a basin. Impounding basins and the route of a drainage system shall be located such that a fire occurring in a drainage system will not endanger pumps, manifolds, control valves, electrical equipment, public utilities, fire-protection equipment, tanks, adjoining properties or fire apparatus access roads.

7902.2.8.3 Diked areas.

7902.2.8.3.1 General. Where protection of adjacent tanks, adjoining property or waterways is accomplished by retaining the liquid around the tank by means of a diked area, such diked areas shall comply with Section 7902.2.8.3.

7902.2.8.3.2 Volumetric capacity. The volumetric capacity of the diked area shall not be less than the greatest amount of liquid that can be released from the largest tank within the diked area. The capacity of the diked area enclosing more than one tank shall be calculated by deducting the volume of the tanks other than the largest tank below the height of the dike.

7902.2.8.3.3 Walls. Walls of the diked area shall be of earth, steel, concrete or solid masonry designed to be liquid tight and to withstand a full hydrostatic head. Earthen walls 3 feet (914.4 mm) or more in height shall have a flat section at the top not less than 2 feet (609.6 mm) wide. The slope shall be consistent with the angle of repose of the material of which the walls are constructed.

The walls of the diked area shall be restricted to an average height of 6 feet (1828.8 mm) above the interior grade, except when dikes are higher than an average of 6 feet (1828.8 mm) above interior grade, provisions shall be made for normal and necessary emergency access to tanks, valves and other equipment and safe egress from the diked enclosure, as follows:

1. Where the average height of the dike containing Class I liquids is over 12 feet (3657.6 mm) measured from interior grade or where the distance between a tank and the top inside edge of the dike wall is less than the height of the dike wall, provisions shall be made for normal operation of valves and for access to tank roofs without entering below the top of the dike. These provisions are allowed to be met through the use of remotely operated valves, elevated walkways or similar arrangements,

2. Piping passing through dike walls shall be designed to prevent excessive stresses as a result of settlement or fire exposure, and

3. The minimum distance between tanks and the toe of the interior dike walls shall be 5 feet (1524 mm), and diked areas containing two or more tanks shall comply with Section 7902.2.8.3.4.

7902.2.8.3.4 Diked areas containing two or more tanks. Diked areas containing two or more tanks shall be subdivided by drainage channels leading to an impounding basin or by intermediate curbs or spill dikes in order to prevent spills from endangering adjacent tanks within the diked area. Intermediate curbs and spill dikes shall not be less than 18 inches (457.2 mm) in height.

7902.2.8.3.5 Protection of piping from exposure fires. Piping shall not pass through adjacent diked areas or impounding basins, unless provided with a sealed sleeve or otherwise protected from exposure to fire.

7902.2.8.3.6 Removing water from diked area. Provision shall be made for draining or removing excess water from a drainage system or diked area. Such drains shall not discharge to adjoining property, natural water courses, public sewers or public drainage channels unless the drain is designed to prevent the release of flammable or combustible liquids. A valve operable from outside the dike shall be provided in the dike system and shall normally be kept closed. Control of drainage shall be accessible under fire conditions.

7902.2.8.3.7 Combustible materials in diked areas. Diked areas shall be kept free of combustible materials, drums and barrels.

7902.2.8.3.8 Equipment, controls and piping in diked areas. Pumps, manifolds, and fire-protection equipment or controls shall not be located within diked areas or drainage basins or in a location where such equipment and controls would be endangered by fire in the diked area or drainage basin. Piping aboveground shall be minimized and located as close as practical to the shell of the tank in diked areas or drainage basins.

7902.3 Container and Portable Tank Storage Outside of Buildings.

7902.3.1 General. Storage of flammable and combustible liquids in closed containers and portable tanks outside of buildings shall be in accordance with Sections 7902.1 and 7902.3. See also Section 7902.1.8.1 for capacity limits for containers and portable tanks.

7902.3.2 Plans. See Section 7901.3.2. Storage shall be in accordance with approved plans.

7902.3.3 Location on property.

7902.3.3.1 General. Outdoor storage of liquids in containers and portable tanks shall be in accordance with Table 7902.3-A. Storage of liquids near buildings located on the same property shall be in accordance Section 7902.3.3.

When two or more classes of materials are stored in a single pile, the quantity in the pile shall not exceed the

smallest of maximum quantities for the classes of material stored.

Storage of containers or portable tanks shall be provided with fire apparatus access roads in accordance with Section 902.2.

The storage area shall be protected against tampering or trespassers where necessary and shall be kept free of weeds, debris and other combustible materials not necessary to the storage.

7902.3.3.2 Storage adjacent to buildings. A maximum of 1,100 gallons (4163.5 L) of liquids stored in closed containers and portable tanks is allowed adjacent to a building located on the same premises and under the same management, provided that:

1. The building does not exceed one story in height. Such building shall be of fire-resistive construction with noncombustible exterior surfaces or noncombustible construction and shall be devoted principally to the storage of liquids, or

2. The exterior building wall adjacent to the storage area shall have a fire-resistance rating of not less than two hours, having no openings to abovegrade areas within 10 feet (3048 mm) horizontally of such storage and no openings to belowgrade areas within 50 feet (15 240 mm) horizontally of such storage.

The quantity of liquids stored adjacent to a building protected in accordance with Item 2 is allowed to exceed 1,100 gallons (4163.5 L), provided that the maximum quantity per pile does not exceed 1,100 gallons (4163.5 L) and each pile is separated by a 10-foot-minimum (3048 mm) clear space along the common wall.

Where the quantity stored exceeds 1,100 gallons (4163.5 L) adjacent to a building complying with Item 1, or the provisions of Item 1 cannot be met, a minimum distance in accordance with the column for distance to property line that can be built on in Table 7902.3-A shall be maintained between buildings and the nearest container or portable tank.

7902.3.4 Spill control, drainage control and secondary containment. Storage areas shall be provided with spill control, drainage control and secondary containment as set forth in Section 7901.8.

EXCEPTION: Containers stored on approved containment pallets in accordance with Section 7901.8.5.

7902.3.5 Security. Storage areas shall be protected against tampering or trespassers by fencing or other control measures.

7902.3.6 Protection from vehicles. Guard posts or other means shall be provided to protect exterior storage tanks from vehicular damage. When guard posts are installed, the posts shall be installed in accordance with Section 8001.9.3.

7902.3.7 Clearance from combustibles. The storage area shall be kept free of weeds, debris and combustible materials not necessary to the storage. The area surrounding an exterior storage area shall be kept clear of such materials for a minimum distance of 15 feet (4572 mm).

7902.3.8 Weather protection. For weather protection for outdoor storage, see Section 8003.1.20.

7902.3.9 Empty containers and tank storage. The storage of empty tanks and containers previously used for the storage of flammable or combustible liquids, unless free from explosive vapors, shall be stored as required for filled containers and tanks. Tanks and containers when emptied shall have the covers or plugs immediately replaced in openings.

7902.4 Stationary Aboveground Tank Storage inside Buildings.

7902.4.1 General. Storage of flammable and combustible liquids in stationary aboveground tanks inside of buildings shall be in accordance with Sections 7902.1 and 7902.4.

7902.4.2 Where allowed. Stationary tanks for the storage of flammable and combustible liquids shall be in rooms or buildings complying with the Building Code.

Rooms or buildings used for storage of Class I, II or III liquids shall be in accordance with Section 7902.5.7.

Rooms or buildings used for dispensing, use, mixing and handling of Class I, II or III liquids shall be in accordance with Section 7903.2.1.6.

7902.4.3 Openings for manual gaging. Openings for manual gaging, if independent of the fill pipe, shall be provided with a liquid-tight cover. Covers shall be kept closed when not in use. Such openings shall be protected against liquid overflow and possible vapor release by means of a spring-loaded check valve or other approved devices.

7902.5 Container and Portable Tank Storage inside Buildings.

7902.5.1 General.

7902.5.1.1 Applicability. Storage of flammable and combustible liquids inside buildings in drums or other containers and portable tanks shall be in accordance with Sections 7902.1 and 7902.5.

EXCEPTIONS:

1. Liquids in the fuel tanks of motor vehicles, aircraft, boats, or portable or stationary engines.
2. The storage of distilled spirits and wines in wooden barrels or casks.

7902.5.1.2 Fire protection.

7902.5.1.2.1 Portable fire extinguishers. Approved portable fire extinguishers shall be provided in accordance with U.F.C. Standard 10-1, except as specified in Section 7902.5.11.5.2.

7902.5.1.2.2 Water supply. The water supply shall be sufficient to deliver the specified fire-protection demand, including at least 500 gallons per minute (31.5 L/s) for inside and outside hose lines.

7902.5.2 Capacity limits for containers and portable tanks. Containers shall not exceed 60 gallons (227.1 L) capacity. Portable tanks shall not exceed 660 gallons (2498 L) capacity. See Section 7902.1.8.1. Tanks exceeding 660 gallons (2498 L) capacity shall be in accordance with Sections 7902.2, 7902.4 or 7902.6.

7902.5.3 Empty containers and portable tanks. Empty tanks and containers previously used for the storage of flammable or combustible liquids, unless free from explosive vapors, shall be stored as required for filled tanks and containers.

Tanks and containers, when emptied, shall have the covers or plugs immediately replaced in openings.

7902.5.4 Incompatible materials. Materials which will react with water or other liquids to produce a hazard shall not be stored in the same room with flammable or combustible liquids. See also Section 7902.1.6.

7902.5.5 Storage near exits. Class I, II or III-A liquids, including stock for sale, shall not be stored near exit doorways, stairways or in a location that would impede egress.

7902.5.6 Shelf storage.

7902.5.6.1 General. Shelving shall be of substantial construction, adequately braced and anchored. For seismic requirements, see the Building Code.

7902.5.6.2 Displacement protection. Shelves shall be of sufficient depth and provided with a lip or guard to prevent individual containers from being easily displaced.

EXCEPTION: Shelves in storage cabinets or on laboratory furniture specifically designed for such use.

7902.5.6.3 Manner of storage. Shelf storage of flammable and combustible liquids shall be maintained in an orderly manner.

7902.5.7 Quantity limits for storage.

7902.5.7.1 Exempt amounts for control areas. For occupancies other than Group M Occupancy wholesale and retail sales uses, indoor storage of flammable and combustible liquids shall not exceed the exempt amounts set forth in Table 7902.5-A and shall not exceed the additional limitations set forth in Section 7902.5.7.2.

For Group M Occupancy wholesale and retail sales uses, indoor storage of flammable and combustible liquids shall not exceed the exempt amounts set forth in Table 7902.5-B.

See Article 51 for storage of hazardous production material flammable and combustible liquids in Group H, Division 6 Occupancies.

7902.5.7.2 Occupancy quantity limits. The following limits for quantities of stored flammable or combustible liquids shall not be exceeded:

1. Group A Occupancies:

Quantities in Group A Occupancies shall not exceed amounts necessary for demonstration, treatment, laboratory work, maintenance purposes and operation of equipment and shall not exceed quantities set forth in Table 7902.5-A.

2. Group B Occupancies:

Quantities in drinking, dining, office and school uses within Group B Occupancies shall not exceed amounts necessary for demonstration, treatment, laboratory work, maintenance purposes and operation of equipment and shall not exceed quantities set forth in Table 7902.5-A.

3. Group E Occupancies:

Quantities in Group E Occupancies shall not exceed amounts necessary for demonstration, treatment, laboratory work, maintenance purposes and operation of equipment and shall not exceed quantities set forth in Table 7902.5-A.

4. Group F Occupancies:

Quantities in dining, office and school uses within Group F Occupancies shall not exceed amounts necessary for demonstration, laboratory work, maintenance purposes and operation of equipment and shall not exceed quantities set forth in Table 7902.5-A.

5. Group I Occupancies:

Quantities in Group I Occupancies shall not exceed amounts necessary for demonstration, treatment, laboratory work, maintenance purposes and operation of equipment and shall not exceed quantities set forth in Table 7902.5-A.

6. Group M Occupancies:

Quantities in dining, office and school uses within Group M Occupancies shall not exceed amounts necessary for demonstration, laboratory work, maintenance purposes and operation of equipment and shall not exceed quantities set forth in Table 7902.5-A.

See Section 7902.5.7.1 for exempt amounts for wholesale and retail sales uses.

7. Group R Occupancies:

Quantities in Group R Occupancies shall not exceed amounts necessary for maintenance purposes and operation of equipment and shall not exceed quantities set forth in Table 7902.5-A.

8. Group S Occupancies:

Quantities in dining and office uses within Group S Occupancies shall not exceed amounts necessary for demonstration, laboratory work, maintenance purposes and operation of equipment and shall not exceed quantities set forth in Table 7902.5-A.

7902.5.7.3 Quantities exceeding limits for control areas. Quantities exceeding quantities allowed in control areas set forth in Sections 7902.5.7.1 and 7902.5.7.2 shall be in liquid storage rooms or liquid storage warehouses in accordance with Sections 7902.5.11 and 7902.5.12.

7902.5.8 Special provisions for liquids used for maintenance and operation of equipment. In all occupancies, quantities of flammable and combustible liquids in excess of 10 gallons (37.85 L) used for maintenance purposes and the operation of equipment shall be stored in liquid storage cabinets in accordance with Section 7902.5.9. Quantities not exceeding 10 gallons (37.85 L) are allowed to be stored outside of a cabinet when in approved containers located in private garages or other approved locations.

In Groups A, B, E, F, I, M, R and S Occupancies, quantities of flammable and combustible liquids used for demonstration, treatment and laboratory work exceeding 10 gallons (37.85 L) shall be stored in liquid storage cabinets in accordance with Section 7902.5.9. Quantities not exceeding 10 gallons (37.85 L) shall be in approved locations.

7902.5.9 Liquid storage cabinets.

7902.5.9.1 General. When other sections of this code require that liquid containers are stored in storage cabinets, such cabinets and storage shall be in accordance with Section 7902.5.9.

7902.5.9.2 Quantities. The combined quantity of Class I and II liquids in a cabinet shall not exceed 60 gallons (227.1 L), and the total quantities of all liquids shall not exceed 120 gallons (454.2 L).

7902.5.9.3 Construction.

7902.5.9.3.1 Labeling. Cabinets shall be provided with a conspicuous label in red letters on contrasting background which reads **FLAMMABLE—KEEP FIRE AWAY**.

7902.5.9.3.2 Doors. Doors shall be well fitted, self-closing and equipped with a latch.

7902.5.9.3.3 Bottom. The bottom of the cabinet shall be liquid tight to a height of at least 2 inches (50.8 mm).

7902.5.9.3.4 Materials. Cabinets shall be constructed of wood or metal and approved by the chief. Cabinets shall be listed or constructed in accordance with the following:

1. Unlisted metal cabinets shall be constructed of steel having a thickness of not less than 0.044 inch (1.12 mm) (18 gage). The cabinet, including the door, shall be double walled with 1 1/2-inch (38.1 mm) airspace between the walls. Joints shall be riveted or welded and shall be tightfitting.

2. Unlisted wooden cabinets, including doors, shall be constructed of not less than 1-inch (25.4 mm) exterior grade plywood. Joints shall be rabbited and shall be fastened in two directions with wood screws. Door hinges shall be of steel or brass. Cabinets shall be painted with an intumescent-type paint.

7902.5.9.4 Number of cabinets.

7902.5.9.4.1 Group A Occupancies. Group A Occupancies shall not contain more than one cabinet.

7902.5.9.4.2 Other occupancies. In occupancies other than Group A Occupancies, a room shall not contain more than three cabinets.

EXCEPTION: Cabinets in groups not exceeding three are allowed in the same room, provided they are separated from other cabinets by not less than 100 feet (30 480 mm).

7902.5.10 Storage in control areas.

7902.5.10.1 General. Storage in control areas shall be in accordance with the following:

1. Class I liquids shall not be stored in basements,

2. Containers having less than 30-gallon (113.6 L) capacity shall not be stacked more than 3 feet (914.4 mm) or two containers high, whichever is greater, unless stacked on fixed shelving or otherwise satisfactorily secured. Containers having a capacity of 30 gallons (113.6 L) or more shall not be stored more than one container high. Containers shall be stored in an upright position,

3. Containers on shelves shall be stored in accordance with Table 7902.5-C. Combustible commodities shall not be stored above flammable or combustible liquids,

4. Piles shall not be closer than 3 feet (914.4 mm) to the nearest beam, chord, girder or other obstruction and shall be 3 feet (914.4 mm) below sprinkler deflectors or discharge orifices of water spray or other overhead fire-protection systems, and

5. In areas that are not accessible to the public, Class I, II and III-A liquids shall not be stored in the same pile or rack section as ordinary combustible commodities unless such materials are packaged together as kits.

7902.5.10.2 Group M Occupancy wholesale and retail sales uses.

7902.5.10.2.1 General. Flammable and combustible liquids in Group M Occupancy wholesale and retail sales uses shall be in accordance with Section 7902.5.10.2.

7902.5.10.2.2 Container type. Containers for Class I liquids shall be metal.

EXCEPTION: In sprinklered buildings an aggregate quantity of 120 gallons (454.2 L) of water miscible Class I-B and I-C liquids is allowed in nonmetallic containers, each having a capacity of 16 ounces (0.473 L) or less.

See also Section 7902.1.8.1.3.

7902.5.10.2.3 Container capacity. Containers for Class I liquids shall not exceed 5-gallon (18.9 L) capacity.

7902.5.10.2.4 Fire protection and storage arrangement. Fire protection and container storage arrangement shall be in accordance with Table 7902.5-C and the following:

1. Combustible commodities shall not be stored above flammable or combustible liquids,

2. Storage on shelves shall not exceed 6 feet (1828.8 mm) in height, and shelving shall be metal,

3. Storage on pallets or in piles greater than 4 feet 6 inches (1371.6 mm) in height, or where the ceiling exceeds 18 feet (5486.4 mm) in height, shall be protected in accordance with Table 7902.5-F, and the storage heights and arrangement shall be limited to those specified in Table 7902.5-D, and

4. Storage on racks greater than 4 feet 6 inches (1371.6 mm) in height, or where the ceiling exceeds 18 feet (5486.4 mm) in height, shall be protected in accordance with Tables 7902.5-H, 7902.5-I and 7902.5-J as appropriate, and the storage heights and arrangements shall be limited to those specified in Table 7902.5-E.

7902.5.10.2.5 Storage plan. When required by the chief, aisle and storage plans shall be submitted in accordance with Section 8003.1.6.

7902.5.11 Liquid storage rooms.

7902.5.11.1 General. Quantities of liquids exceeding those set forth in Section 7902.5.7 for storage in control areas shall be stored in a liquid storage room complying with Section 7902.5.11 and constructed and separated as required by the Building Code.

7902.5.11.2 Quantities and arrangement of storage.

7902.5.11.2.1 General. The quantity limits and arrangements of liquid storage in liquid storage rooms shall be in

accordance with Table 7902.5-D or 7902.5-E and Section 7902.5.11.2.

7902.5.11.2.2 Mixed storage. When two or more classes of liquids are stored in a pile or rack section:

1. The quantity in that pile or rack shall not exceed the smallest of the maximum quantities for the classes of liquids stored in accordance with Table 7902.5-D or 7902.5-E, and

2. The height of storage in that pile or rack shall not exceed the smallest of the maximum heights for the classes of liquids stored in accordance with Table 7902.5-D or 7902.5-E.

7902.5.11.2.3 Separation and aisles. Piles shall be separated from each other by at least 4-foot (1219.2 mm) aisles. Aisles shall be provided so that all containers are 12 feet (3657.6 mm) or less from an aisle. Where the storage of liquids is on racks, a minimum 4-foot-wide (1219.2 mm) aisle shall be provided between adjacent rows of racks and adjacent storage of liquids. Main aisles shall be a minimum of 8 feet (2438.4 mm) wide.

Additional aisles shall be provided for access to doors, required windows and ventilation openings, standpipe connections, mechanical equipment, and switches. Such aisles shall be at least 3 feet (914.4 mm) in width, unless greater widths are required for separation of piles or racks, in which case the greater width shall be provided.

7902.5.11.2.4 Stabilizing and supports. Containers and piles shall be separated by pallets or dunnage to provide stability and to prevent excessive stress to container walls. Portable tanks stored over one tier high shall be designed to nest securely without dunnage. See U.F.C. Standard 79-5 for requirements for portable tank design. Shelving, racks, dunnage, scuffboards, floor overlay and similar installations shall be of noncombustible construction or of wood not less than 1-inch (25.4 mm) nominal thickness. Adequate material-handling equipment shall be available to handle tanks safely at upper tier levels.

7902.5.11.3 Spill control, drainage control and secondary containment. Liquid storage rooms shall be provided with spill control, drainage control and secondary containment in accordance with Section 7901.8.

7902.5.11.4 Ventilation. Liquid storage rooms shall be ventilated in accordance with Section 8003.1.8.

7902.5.11.5 Fire protection.

7902.5.11.5.1 Fire-extinguishing systems. Liquid storage rooms shall be protected by automatic sprinkler systems installed in accordance with the Building Code (see U.B.C. Standard 9-1) and Table 7902.5-F, 7902.5-G, 7902.5-H, 7902.5-I or 7902.5-J. In-rack sprinklers shall also comply with U.F.C. Standard 81-2.

Automatic foam-water systems and automatic aqueous film forming foam (AFFF)-water sprinkler systems may be used only when approved by the chief.

7902.5.11.5.2 Portable fire extinguishers. One or more portable fire extinguisher having a rating of not less than 20-B shall be located not less than 10 feet (3048 mm) or more

than 50 feet (15 240 mm) from any Class I or II liquid storage area located outside of a liquid storage room.

One or more portable fire extinguishers having a rating of not less than 20-B shall be located outside of, but not more than 10 feet (3048 mm) from, the door opening into a liquid storage room.

7902.5.11.6 Basement storage. Class I liquids shall not be stored in basements.

7902.5.11.7 Explosion control. See Section 7902.1.5.

7902.5.12 Liquid storage warehouses.

7902.5.12.1 General. Buildings used for storage of flammable or combustible liquids in quantities exceeding those set forth in Section 7902.5.7 for control areas and Section 7902.5.11.2 for liquid storage rooms shall comply with Section 7902.5.12 and shall be constructed and separated as required by the Building Code.

7902.5.12.2 Quantities and storage arrangement.

7902.5.12.2.1 General. The total quantities of liquids in a liquid storage warehouse are not limited. The arrangement of storage shall be in accordance with Table 7902.5-D or 7902.5-E.

7902.5.12.2.2 Mixed storage. Mixed storage shall be in accordance with Section 7902.5.11.2.2.

7902.5.12.2.3 Separation and aisles. Separation and aisles shall be in accordance with Section 7902.5.11.2.3.

7902.5.12.2.4 Stabilizing and supports. Stabilizing and supports shall be in accordance with Section 7902.5.11.2.4.

7902.5.12.3 Spill control, drainage control and secondary containment. Liquid storage warehouses shall be provided with spill control, drainage control and secondary containment as set forth in Section 7901.8.

7902.5.12.4 Ventilation. Liquid storage warehouses shall be ventilated in accordance with Section 8003.1.8.

7902.5.12.5 Fire protection.

7902.5.12.5.1 Fire-extinguishing systems. Liquid storage warehouses shall be protected by automatic sprinkler systems installed in accordance with the Building Code (see U.B.C. Standard 9-1) and Table 7902.5-F, 7902.5-G, 7902.5-H, 7902.5-I or 7902.5-J. In-rack sprinklers shall also comply with U.F.C. Standard 81-2.

Automatic foam-water systems and automatic aqueous film forming foam-water sprinkler systems may only be used when approved by the chief.

7902.5.12.5.2 Warehouse hose lines. In liquid storage warehouses, either 1½-inch (38.1 mm) lined or 1-inch (25.4 mm) hard rubber hand hose lines shall be provided in sufficient number to reach all liquid storage areas. See also Section 1001.9.

7902.5.12.6 Basement storage. Class I liquids shall not be stored in basements.

7902.5.12.7 Explosion control. See Section 7902.1.5.

7902.6 Underground Tank Storage.

7902.6.1 General. Underground storage of flammable and combustible liquids in tanks shall be in accordance with Sections 7902.1 and 7902.6.

7902.6.2 Contents. Underground tanks shall not contain petroleum products containing mixtures of a nonpetroleum nature, such as ethanol or methanol blends, without evidence of compatibility.

7902.6.3 Location. Flammable and combustible liquid storage tanks located underground, either outside or under buildings, shall be in accordance with the following:

1. Tanks shall be located with respect to existing foundations and supports such that the loads carried by the latter cannot be transmitted to the tank,

2. The distance from any part of a tank storing liquids to the nearest wall of a basement, pit, cellar or property line shall not be less than 3 feet (914.4 mm), and

3. A minimum distance of 1 foot (304.8 mm), shell to shell, shall be maintained between underground tanks.

7902.6.4 Depth and cover. Excavation for underground storage tanks shall be made with due care to avoid undermining of foundations of existing structures. Underground tanks shall be set on firm foundations and surrounded with at least 6 inches (152.4 mm) of noncorrosive inert material such as clean sand or gravel well tamped in place or in accordance with the manufacturer's installation instructions. Tanks shall be covered with a minimum of 2 feet (609.6 mm) of earth or shall be covered by not less than 1 foot (304.8 mm) of earth, on top of which shall be placed a slab of reinforced concrete not less than 4 inches (101.6 mm) thick.

When underground tanks are, or are likely to be, subjected to traffic, they shall be protected against damage from vehicles passing over them by at least 3 feet (914.4 mm) of earth cover, or 18 inches (457.2 mm) of well-tamped earth plus 6 inches (152.4 mm) of reinforced concrete, or 8 inches (203.2 mm) of asphaltic concrete. When asphaltic or reinforced concrete paving is used as part of the protection, it shall extend at least 1 foot (304.8 mm) horizontally beyond the outline of the tank in all directions.

For tanks built in accordance with Section 7902.1.8, the burial depth and the height of the vent line shall be such that the static head imposed at the bottom of the tank will not exceed 10 psig (68.9 kPa) if the fill or vent pipe is filled with liquid.

If the depth of cover exceeds 7 feet (2133.6 mm) or the manufacturer's specifications, reinforcements shall be provided in accordance with the tank manufacturer's recommendations.

Nonmetallic underground tanks shall be installed in accordance with the manufacturer's instructions. The minimum depth of cover shall be as specified above in Section 7902.6.4.

7902.6.5 Overfill protection.

7902.6.5.1 General. Fill pipes shall be equipped with a spill container and an overfill prevention system as specified in Section 7902.6.5.

7902.6.5.2 Spill containers. A spill container shall be provided for each fill pipe to collect liquids spilled by overfilling during tank-filling operations. Containers are allowed to be constructed of single-wall construction. Containers shall have a capacity of not less than five gallons (18.9 L) and shall be equipped with a drain valve which drains a spill into the primary tank.

7902.6.5.3 Overfill prevention system. An overfill prevention system shall be provided for each tank. The system shall either:

1. Have an alarm which provides an audible and visual signal when the quantity of liquid in the tank reaches 90 percent of tank capacity,

2. Automatically shut off the flow when the quantity of liquid in the tank reaches 95 percent of tank capacity, or

3. Reduce the flow rate to not more than 15 gallons per minute (0.95 L/s) so that, at the reduced flow rate, the tank will not overfill for 30 minutes, and automatically shut-off flow into the tank so that none of the fittings on the top of the tank are exposed to product due to overfilling.

7902.6.6 Inventory control. Daily inventory records shall be maintained for underground storage tank systems in accordance with Section 5202.3.9.

7902.6.7 Locations subject to flooding. Where a tank could become buoyant due to a rise in the level of the water table or due to location in an area that is subject to flooding, the tank shall be anchored in place. See Appendix II-B or manufacturer's installation instructions.

7902.6.8 Leaking tanks. Leaking tanks shall be handled in accordance with WAC 173-360-325.

7902.6.9 Used tanks. Reinstallation of used tanks is allowed when such tanks comply with the requirements of Sections 7902.1.8 and 7902.6.15. See also Section 7902.6.16.4.

7902.6.10 Tank lining. Steel tanks are allowed to be lined only for the purpose of protecting the interior from corrosion or providing compatibility with a material to be stored. Only those liquids tested for compatibility with the lining material are allowed to be stored in lined tanks. Lining of leaking underground storage tanks shall be done in accordance with the provisions of WAC 173-360-325.

Tank opening, cleaning, preparation, inspection, lining, closing and testing shall be in accordance with U.F.C. Standard 79-6.

For permits to alter a tank, see Section 105, Permit f.3.6.

Interior-lined underground tanks shall be protected from corrosion in accordance with Section 7902.6.15.

7902.6.11 Secondary containment. An approved method of secondary containment shall be provided for underground tank systems, including tanks, piping and related components, where a leak from such a system would pose an immediate hazard to persons or property, as determined by the chief. See Appendix II-G.

7902.6.12 Leak detection required. Underground storage tank systems shall be provided with an approved method of detecting leaks from any component of the system which normally contains liquid.

7902.6.13 Leak-detection installation and maintenance. Leak-detection devices and methods shall be in accordance with nationally recognized standards. See Article 90, Standard u.3.2. Such devices shall be inspected and tested at least annually, and the test results maintained for at least one year.

7902.6.14 Leak reporting. Any consistent or accidental loss of liquid, or other indication of a leak from a tank system, shall be reported immediately to the fire department.

7902.6.15 Corrosion protection.

7902.6.15.1 General. Underground tanks and piping shall be properly designed, installed and maintained, and protected from corrosion in accordance with Section 7902.6.15.2 or 7902.6.15.3.

EXCEPTION: If conditions, based on adequate proof, warrant the deletion of the corrosion-protection requirements, the chief may waive the corrosion-protection requirements.

See Article 90, Standards a.3.10, n.1.2, s.1.1, u.1.14 and u.2.1.

7902.6.15.2 Cathodic protection. Cathodic protection systems provided for corrosion protection shall be in accordance with recognized standards. See WAC 173-360-320.

7902.6.15.3 Corrosion-resistant materials. Corrosion-resistant materials of construction, such as special alloys; nonmetallic, reinforced plastic coatings; composites; or equivalent systems, may be used when approved.

7902.6.15.4 Testing of corrosion protection. New underground steel tanks and piping shall be tested by the structure-to-soil-potential method after the system is in operation. The tank manufacturer shall provide a structure lead and a test station. The criteria for adequate corrosion protection shall be in accordance with recognized standards. Testing shall be done at installation and not less than once every five years thereafter by qualified persons approved by the chief.

EXCEPTION: Approved and listed composite fiberglass-reinforced plastic tanks.

7902.6.16 Testing of underground tanks.

7902.6.16.1 General. Before being covered or placed in use, tanks and piping connected to underground tanks shall be tested for tightness in the presence of the chief. For pipe testing, see Section 7901.11.10. The system shall not be covered until it has been approved.

7902.6.16.2 New tanks. New underground tanks shall be tested for tightness hydrostatically or pneumatically at not less than 3 pounds per square inch (20.7 kPa) and not more than 5 pounds per square inch (34.5 kPa) for 30 minutes. Pneumatic testing shall not be used on a tank containing flammable or combustible liquids or vapors.

When secondary containment tanks are required in accordance with Section 7902.6.11, they shall be tested in

accordance with the manufacturer's instructions. Both the primary and secondary containment shall be tested.

7902.6.16.3 Existing tanks and piping. Existing underground storage tanks and piping shall be tested for leakage at the owner's or operator's expense when the chief has reasonable cause to believe that a leak exists. Orders by the chief requiring testing on underground tanks or piping shall indicate that the test be completed by a specified date. Tanks shall be emptied of flammable or combustible liquids, and piping and other equipment shall not be used if required tests are not completed within the specified time.

When testing is required, owners or operators shall provide the chief with data setting forth the method of testing that is to be used and shall submit the name of a qualified individual who will conduct the test. The method of testing to be used shall consider the effects of temperature, pressure and other variables and shall establish conclusively whether the tank or piping is leaking. Pneumatic testing shall not be used for tanks.

Devices used for final testing of tanks shall be capable of detecting leaks as small as 0.05 gallon per hour (0.19 L/hr). Leaking piping and equipment shall not be used until repaired or replaced.

The chief is authorized to require that the test be conducted in the chief's presence.

7902.6.16.4 Used tanks. Used tanks intended for flammable or combustible liquid service shall be tested as required for new tanks.

NEW SECTION

WAC 51-34-7904 Section 7904—Special operations.

7904.1 General. The following special operations shall be in accordance with Sections 7901, 7902 and 7903 except as provided in Section 7904.

1. Storage and dispensing of flammable and combustible liquids on farms and construction sites.
2. Well drilling and operating.
3. Bulk plants or terminals.
4. Loading and unloading of tank vehicles and tank cars.
5. Tank vehicles and tank vehicle operation.
6. Refineries.

7904.2 Storage and Dispensing of Flammable and Combustible Liquids on Farms and Construction Sites.

7904.2.1 General. Permanent and temporary storage and dispensing of Class I and II liquids for private use on farms and rural areas and at construction sites, earth-moving projects, gravel pits or borrow pits shall be in accordance with Section 7904.2.

EXCEPTION: Storage and use of fuel-oil and containers connected with oil-burning equipment regulated by Article 61 and the Mechanical Code.

7904.2.2 Combustibles and open flames near tanks. Storage areas shall be kept free of weeds and extraneous combustible material. Open flames and smoking are prohibited in flammable or combustible liquid storage areas.

7904.2.3 Marking of tanks and containers. Tanks and containers for the storage of liquids aboveground shall be conspicuously marked with the name of the product which they contain and **FLAMMABLE—KEEP FIRE AND FLAME AWAY**. Tanks shall bear the additional marking **KEEP 50 FEET (15.2 Meters) FROM BUILDINGS**.

7904.2.4 Containers for storage and use. Metal containers used for storage of Class I or II liquids shall be in accordance with DOT requirements or shall be of an approved design.

Discharge devices shall be of a type that does not develop an internal pressure on the container. Pumping devices or approved self-closing faucets used for dispensing liquids shall not leak and shall be well maintained. Individual containers shall not be interconnected and shall be kept closed when not in use.

Containers stored outside and inside of buildings shall be in accordance with Section 7902 and the Building Code.

7904.2.5 Permanent and temporary tanks for storage and use.

7904.2.5.1 General. The capacity of permanent aboveground tanks containing Class I or II liquids shall not exceed 1,100 gallons (4163.9 L). The capacity of temporary aboveground tanks containing Class I or II liquids shall not exceed 10,000 gallons (37 854 L). Tanks shall be of single-compartment design, constructed in accordance with Section 7902.1.2.

7904.2.5.2 Fill opening security. Fill openings shall be equipped with a locking closure device. Fill openings shall be separate from vent openings.

7904.2.5.3 Vents. Each tank shall be provided with a free-opening vent of a size not less than specified in Table 7904.2-A to relieve vacuum or pressure which could develop in normal operation or from a fire exposure. Venting shall be in accordance with Section 7902.1.10.

Vents shall be arranged to discharge in a manner which prevents localized overheating or flame impingement on any part of the tank in the event vapors from such vents are ignited.

7904.2.5.4 Location.

7904.2.5.4.1 General. Tanks containing Class I or II liquids shall be kept outside of and at least 50 feet (15 240 mm) from buildings and combustible storage. Additional distance shall be provided when necessary to ensure that vehicles, equipment and containers being filled directly from such tanks will not be less than 50 feet (15 240 mm) from structures, haystacks or other combustible storage.

7904.2.5.4.2 Locations where aboveground tanks are prohibited. The storage of Class I and II liquids in aboveground tanks is prohibited within the limits established by law as the limits of districts in which such storage is prohibited. (See sample adoption ordinance, Section 4.)

7904.2.5.5 Type of tank.

7904.2.5.5.1 General. Tanks shall be provided with top openings only or shall be elevated for gravity discharge.

7904.2.5.5.2 Tanks with top openings only. Tanks with top openings only shall be mounted as follows:

1. On well-constructed metal legs connected to shoes or runners designed so that the tank is stabilized and the entire tank and its supports can be moved as a unit, or
2. For stationary tanks, on a stable base of timbers or blocks approximately 6 inches (152.4 mm) in height which prevents the tank from contacting the ground.

Tanks with top openings only shall be equipped with a tightly and permanently attached, approved pumping device having an approved hose of sufficient length for filling vehicles, equipment or containers to be served from the tank. Either the pump or the hose shall be equipped with a padlock to its hanger to prevent tampering. An effective antisiphoning device shall be included in the pump discharge unless a self-closing nozzle is provided. Siphons or internal pressure discharge devices shall not be used.

7904.2.5.5.3 Tanks for gravity discharge. Tanks with a connection in the bottom or the end for gravity dispensing liquids shall be mounted and equipped as follows:

1. Supports to elevate the tank for gravity discharge shall be of adequate strength and designed to provide stability, and
2. Bottom or end openings for gravity discharge shall be equipped with a valve located adjacent to the tank shell which will close automatically in the event of fire through the operation of an effective heat-actuated releasing device. If this valve cannot be operated manually, it shall be supplemented by a second manually operated valve. The gravity discharge outlet shall be provided with an approved hose equipped with a self-closing valve at the discharge end of a type that can be padlocked to its hanger.

7904.2.6 Spill control, drainage control and diking. Indoor storage and dispensing areas shall be provided with spill control and drainage control as set forth in Section 7901.8. Outdoor storage areas shall be provided with drainage control or diking as set forth in Section 7902.2.8.

7904.2.7 Portable fire extinguishers. Portable fire extinguishers with a minimum rating of 20-B:C shall be provided when required by the chief.

7904.2.8 Dispensing from tank vehicles.

7904.2.8.1 General. When approved by the chief, liquids used as fuels may be transferred from tank vehicles into the tanks of motor vehicles or special equipment, provided:

1. The tank vehicle's specific function is that of supplying fuel to motor vehicle fuel tanks,
2. The dispensing line does not exceed 50 feet (15 240 mm) in length,
3. The dispensing nozzle is an approved type,

4. The dispensing hose is properly placed on the approved reel or in a compartment provided before the tank vehicle is moved,

5. Signs prohibiting smoking or open flame within 25 feet (7 620 mm) of a tank vehicle or the point of refueling are prominently posted on the tank vehicle,

6. Electrical devices and wiring in areas where fuel dispensing is conducted are in accordance with the Electrical Code,

7. Vapor-recovery systems are provided in accordance with Section 5202.12,

8. Tank vehicle dispensing equipment is operated only by designated personnel who are trained to handle and dispense motor fuels, and

9. Provisions are made for controlling and mitigating unauthorized discharges.

7904.2.8.2 Location. Dispensing from tank vehicles shall be conducted at least 50 feet (15 240 mm) from structures or combustible storage.

7904.3 Well Drilling and Operating.

7904.3.1 General. Wells for oil and natural gas shall be drilled and operated in accordance with Section 7904.3.

7904.3.2 Location.

7904.3.2.1 Storage tanks and sources of ignition. Well heads shall not be located within 25 feet (7 620 mm) of storage tanks or boilers, fired heaters, open-flame devices or other sources of ignition. Smoking is prohibited at wells or tank locations except as designated and in posted areas approved by the chief.

EXCEPTION: Engines used in the drilling, production and serving of wells.

7904.3.2.2 Streets and railways. Wells shall not be drilled within 75 feet (22 860 mm) of any dedicated public street, highway or nearest rail of an operating railway.

7904.3.2.3 Buildings. Wells shall not be drilled within 100 feet (30 480 mm) of buildings not necessary to the operation of the well.

Wells shall not be drilled within 300 feet (91 440 mm) of buildings used as a place of assembly, institution or school.

When wells are existing, buildings shall not be constructed within the distances set forth in Section 7904.3 for separation of wells and buildings.

7904.3.3 Waste Control.

7904.3.3.1 Discharge on a street or water channel. Liquids containing crude petroleum or its products shall not be discharged into or on streets, highways, drainage canals or ditches, storm drains, or flood-control channels.

7904.3.3.2 Discharge and combustible materials on ground. The surface of the ground under, around or near wells, pumps, boilers, oil storage tanks or buildings shall be kept free of oil, waste oil, refuse or waste material.

EXCEPTION: Material within an oil sump or tank.

7904.3.3.3 Clearing around wells and tanks. Land within 25 feet (7620 mm) of wells, flammable or combustible liquid tanks, or other appurtenances to such wells shall be kept free of dry weeds, grass, rubbish or other combustible material at all times. When, in the opinion of the chief, the distance is not sufficient to provide reasonable fire safety, a greater distance may be required, not to exceed the height of a derrick or greatest dimension of a tank.

7804.3.4 Sumps.

7904.3.4.1 Maximum width. Sumps or other basins for the retention of oil or petroleum products shall not exceed 12 feet (3658 mm) in width.

7904.3.4.2 Backfilling. Sumps or other basins for the retention of oil or petroleum products larger than 6 feet by 6 feet (1829 mm by 1829 mm by 1829 mm) shall not be maintained longer than 60 days after the cessation of drilling operations.

7904.3.4.3 Security. Sumps, diversion ditches and depressions used as sumps shall be securely fenced or covered.

7904.3.5 Prevention of blowouts. Adequate protection shall be provided to control and prevent the blowout of a well. Protection equipment shall meet federal, state and other applicable jurisdiction requirements.

7904.3.6 Storage tanks. Storage of flammable or combustible liquids in tanks shall be in accordance with Section 7902. Each oil storage tank or group of tanks shall have posted in a conspicuous place on or near such tank or tanks an approved sign with the name of the owner or operator, name or number of lease and the telephone number where a responsible person can be reached at any time.

7904.3.7 Soundproofing. Where soundproofing material is required during field operations, such material shall be noncombustible.

EXCEPTION: Fire-retardant treated material may be used and maintained when approved by the chief.

7904.3.8 Signs. Well locations shall have posted in a conspicuous place an approved sign with the name of the owner or operator, name or number of the lease, and number of the well. Such signs shall be maintained on the premises from the time materials are delivered for drilling purposes until the well is abandoned.

7904.3.9 Field loading racks. Field loading racks shall be in accordance with Section 7904.5.

7904.4 Bulk Plants or Terminals.

7904.4.1 General. Portions of properties where flammable and combustible liquids are received by tank vessels, pipelines, tank cars or tank vehicles and are stored or blended in bulk for the purpose of distributing such liquids by tank vessels, pipelines, tank cars, tank vehicles or containers shall be in accordance with Section 7904.4.

7904.4.2 Buildings.

7904.4.2.1 Construction. Buildings shall be constructed in accordance with the Building Code.

7904.4.2.2 Exits. Rooms in which liquids are stored, used or transferred by pumps shall have exits arranged to prevent occupants from being trapped in the event of fire.

7904.4.2.3 Heating. Rooms in which Class I liquids are stored or used shall be heated only by means not constituting a source of ignition, such as steam or hot water. Rooms containing heating appliances involving sources of ignition shall be located and arranged to prevent entry of flammable vapors.

7904.4.3 Ventilation.

7904.4.3.1 General. Ventilation shall be provided for rooms, buildings and enclosures in which Class I liquids are pumped, used or transferred. Design of ventilation systems shall consider the relatively high specific gravity of the vapors. When natural ventilation is used, adequate openings in outside walls at floor level, unobstructed except by louvers or coarse screens, shall be provided. Where natural ventilation is inadequate, mechanical ventilation shall be provided in accordance with the Mechanical Code.

7904.4.3.2 Basements and pits. Class I liquids shall not be stored or used within a building having a basement or pit into which flammable vapors can travel, unless such area is provided with ventilation designed to prevent the accumulation of flammable vapors therein.

7904.4.3.3 Dispensing of Class I liquids. Containers of Class I liquids shall not be drawn from or filled within buildings unless a provision is made to prevent the accumulation of flammable vapors in hazardous concentrations. Where mechanical ventilation is required, it shall be kept in operation while flammable vapors could be present.

7904.4.4 Storage. Storage of Class I, II and III-A liquids in bulk plants shall be in accordance with applicable provisions of Article 79.

7904.4.5 Wharves.

7904.4.5.1 General. Wharves, including piers, bulkheads and other structures over or contiguous to navigable water having a primary function of transferring liquid cargo in bulk between shore installations and tank vessels, ships, barges, lighter boats or other mobile floating craft, shall be in accordance with Section 7904.4.5.

EXCEPTION: Marine motor vehicle fuel-dispensing stations. See Section 5202.11.

7904.4.5.2 Transferring times. Package cargo of liquids, including full and empty drums, bulk fuel and stores, shall only be transported over a wharf during cargo transfer at such times and places as agreed on by the wharf superintendent and the senior deck officer on duty.

7904.4.5.3 Transferring locations. Wharves at which liquid cargoes are to be transferred in bulk quantities to or from tank vessels shall be at least 100 feet (30 480 mm) from bridges over a navigable waterway, or from an entrance to or superstructure of vehicular or railroad tunnels under a waterway. The termination of fixed piping used for loading or unloading at a wharf shall be at least 200 feet (60 960 mm) from bridges or from entrances to or superstructures of tunnels.

7904.4.5.4 Cargo vessels and transfer equipment. Substructure and decking shall be substantially designed for the use intended. Decking shall be constructed of materials which will afford the desired combination of flexibility, resistance to shock, durability, strength and fire resistance. Heavy timber construction is acceptable.

Installation of tanks used exclusively for ballast water or Class II or III liquids on suitably designed wharves is allowed.

Loading pumps capable of building up pressures in excess of the safe working pressure of cargo hose or loading arms shall be provided with bypasses, relief valves or other arrangements to protect the loading facilities against excessive pressure. Relief devices shall be tested at not more than yearly intervals to determine that they function satisfactorily at the pressure at which they are set.

Pressure hoses and couplings shall be inspected at intervals appropriate to the service. With the hose extended, hose and couplings shall be tested using in-service maximum operating pressures. Hoses showing material deteriorations, signs of leakage, or weakness in its carcass or at the couplings shall be withdrawn from service and repaired or discarded.

7904.4.5.5 Piping, valves and fittings. Piping, valves and fittings shall be in accordance with Section 7901.11, except as follows:

1. Flexibility of piping shall be assured by appropriate layout and arrangement of piping supports so that motion of the wharf structure resulting from wave action, currents, tides or the mooring of vessels will not subject the pipe to repeated strain above the elastic limit.

2. Pipe joints depending on the friction characteristics of combustible materials or grooving of pipe ends for mechanical continuity of piping shall not be used.

3. Swivel joints are allowed in piping to which hoses are connected and for articulated swivel-joint transfer systems. Swivel joints shall be designed such that the mechanical strength of the joint will not be impaired if the packing material were to fail.

4. Piping systems shall contain a sufficient number of valves to operate the system properly and to control the flow of liquid in normal operation and in the event of physical damage.

5. In addition to the requirements of Item 4, each line conveying Class I and II liquids leading to a wharf shall be provided with a readily accessible block valve located on shore near the approach to the wharf and outside of any diked area. Where more than one line is involved, the valves shall be grouped in one location.

6. Means of easy access shall be provided for cargo line valves located below the wharf deck.

7. Piping on wharves shall be adequately bonded and grounded if Class I and II liquids are transported. If excessive stray currents are encountered, insulating joints shall be installed. Bonding and grounding connections on all piping shall be located on the wharf side of hose riser

insulating flanges, if used, and shall be accessible for inspection.

8. Hose or articulated swivel-joint pipe connections used for cargo transfer shall be capable of accommodating the combined effects of change in draft and maximum tidal range, and mooring lines shall be kept adjusted to prevent surge of the vessel from placing stress on the cargo transfer system.

9. Hoses shall be supported to avoid kinking and damage from chafing.

7904.4.5.6 Loading and unloading. Loading or discharging shall not commence until the wharf superintendent and officer in charge of the tank vessel agree that the tank vessel is properly moored and connections are properly made.

7904.4.5.7 Mechanical work. Mechanical work shall not be performed on the wharf during cargo transfer, except under special authorization by the chief based on a review of the area involved, methods to be employed and precautions necessary.

7904.4.6 Sources of ignition. Class I, II or III-A liquids shall not be used, drawn or dispensed where flammable vapors can reach a source of ignition. Smoking is prohibited except in designated locations. NO SMOKING signs shall be conspicuously posted where hazard from flammable vapors is normally present.

7904.4.7 Drainage control. Loading and unloading areas shall be provided with drainage control in accordance with Section 7901.8.

7904.4.8 Fire protection.

7904.4.8.1 General. Fire protection shall be in accordance with Articles 9 and 10 and Section 7904.4.8.

7904.4.8.2 Portable fire extinguishers. Suitable portable fire extinguishers with a rating of not less than 20-B shall be located within 75 feet (22 860 mm) of those portions of the facility where fires are likely to occur, such as hose connections, pumps and separator tanks.

7904.4.8.3 Fire hoses. Where piped water is available, ready-connected fire hose in a size appropriate for the water supply shall be provided so that manifolds where connections are made and broken can be reached by at least one hose stream.

7904.4.8.4 Obstruction of equipment. Material shall not be placed on wharves in such a manner which would obstruct access to firefighting equipment or important pipeline control valves.

7904.4.8.5 Fire apparatus access. Where the wharf is accessible to vehicle traffic, an unobstructed roadway to the shore end of the wharf shall be maintained for access of firefighting apparatus. See Section 902.

7904.4.9 Overfill protection of Class I liquids. Manual and automatic systems shall be provided to prevent overfill during the transfer of Class I liquids from mainline pipelines and marine vessels in accordance with nationally recognized standards. See Article 90, Standard a.3.19.

7904.5 Loading and Unloading of Tank Vehicles and Tank Cars.

7904.5.1 General.

7904.5.1.1 Applicability. Tank vehicle and tank car loading and unloading shall be in accordance with Section 7904.5.

7904.5.1.2 Fire protection. Fire protection shall be provided in accordance with Article 10. Approved portable fire extinguishers shall be provided in accordance with U.F.C. Standard 10-1. Extinguishers having a minimum rating of 40-B shall be provided at each loading rack. Suitable fire-control devices, such as small hose or portable fire extinguishers, shall be available to protect locations where fires are likely to occur. The chief is authorized to require additional fire-control equipment where an unusual exposure hazard exists. Such additional fire-control equipment shall be sufficient to extinguish a fire in the largest tank. The design and amount of such equipment shall be in accordance with approved engineering standards.

7904.5.1.3 Spill control and drainage control. Areas where tank vehicle and tank car loading racks are located shall be provided with spill control and drainage control as set forth in Section 7901.8.

7904.5.2 Tank vehicle loading racks.

7904.5.2.1 Construction. Loading racks shall be constructed of noncombustible materials.

7904.5.2.2 Location. Loading racks dispensing Class I, II or III-A liquids shall be separated from tanks, warehouses or other plant buildings, and nearest property line of a property that can be built on by a clear distance of not less than 25 feet (7620 mm), measured from the nearest fill stem. Buildings for pumps or for shelter of loading personnel are allowed to be part of the loading rack.

7904.5.2.3 Static protection. Loading racks shall be equipped with protection to prevent the accumulation of static charges during truck-filling operations. Bonding facilities shall be provided during the loading of tank vehicles through open domes where Class I liquids are loaded, or where Class II and III liquids are loaded into vehicles which could contain vapors from previous cargoes of Class I liquids.

Protection shall consist of a metallic bond wire permanently electrically connected to the fill stem or to some part of the rack structure in electrical contact with the fill stem. The fill stem pipe assembly shall form a continuous electrically conductive path downstream from the point of bonding. The free end of such bond wire shall be provided with a clamp or equivalent device for convenient attachment to some metallic part in electrical contact with the cargo tank of the tank vehicle. Protection shall consist of a flexible bond wire of adequate strength for the intended service and the electrical resistance shall not exceed 1 megohm.

Such bonding connection shall be fastened to the vehicle or tank before dome covers are raised and shall remain in place until filling is completed and all dome covers have been closed and secured.

EXCEPTIONS: 1. Where vehicles are loaded exclusively with products not having a static-accumulating tendency, such as asphalts, cutback asphalts, most crude oils, residual oils and water-soluble liquids.

2. When Class I liquids are not handled at the loading facility and the tank vehicles loaded are used exclusively for Class II and III liquids.
3. Where vehicles are loaded or unloaded through closed top or bottom connections whether the hose or pipe is conductive or nonconductive.

Filling through open domes into the tanks of tank vehicles that contain vapor-air mixtures within the flammable range, or where the liquid being filled can form such a mixture, shall be by means of a downspout which extends to near the bottom of the tank.

7904.5.2.4 Drag chains. Drag chains or similar devices on tank vehicles shall not be used to meet the requirement of Section 7904.5.2.3 for static protection.

7904.5.2.5 Smoking. Approved signs which read NO SMOKING shall be maintained at entrance gates of bulk plants and near each loading rack.

7904.5.2.6 Security. Loading rack or properties on which a loading rack is located shall be surrounded by a fence not less than 5 feet (1524 mm) in height, constructed of wire mesh, solid metal sheathing or masonry. Tank vehicles shall not be loaded or unloaded unless such vehicles are entirely within the fenced area. Tank vehicles shall not be backed into or from the premises of a bulk plant.

EXCEPTION: Existing installations where adequate public safety exists due to isolation, natural barriers or other factors as determined by the chief.

7904.5.2.7 Top loading. When top loading a tank vehicle with Class I and II liquids without vapor control, valves used for the final control of flow shall be of the self-closing type and shall be manually held open except where automatic means are provided for shutting off the flow when the vehicle is full. Self-closing valves shall not be tied or locked in the open position.

When top loading a tank vehicle with vapor control, flow control shall be in accordance with Section 7904.5.2.8.

7904.5.2.8 Bottom loading. When bottom loading a tank vehicle with or without vapor control, a positive means shall be provided for loading a predetermined quantity of liquid, together with an automatic secondary shutoff control to prevent overfilling. The connecting components between the loading rack and the tank vehicle required to operate the secondary control shall be functionally compatible.

When bottom loading a tank vehicle that is equipped for vapor control and vapor control is not used, the tank shall be vented to the atmosphere to prevent pressurization of the tank. Such venting shall be at a height equal to or greater than the top of the cargo tank on the vehicle.

When bottom loading a tank vehicle, the coupling between the liquid loading hose or pipe and the truck piping shall be a dry disconnect coupling.

Connections to the plant vapor-control system shall be designed to prevent the escape of vapor to the atmosphere when not connected to a tank vehicle.

Vapor-processing equipment shall be separated from aboveground tanks, warehouses, other plant buildings, loading and unloading facilities or nearest line of adjoining property that can be built on by a distance of at least 25 feet

(7620 mm). Vapor-processing equipment shall be protected from physical damage by remote location, guardrails, curbs or fencing.

7904.5.2.9 Switch loading. Tanks which have previously contained Class I liquids shall not be loaded with Class II or III liquids until such tanks and all piping, pumps, hoses and meters connected thereto have been completely drained and flushed.

7904.5.2.10 Electrical. Wiring and electrical equipment located within 25 feet (7620 mm) of any portion of the loading rack shall be designed, operated and installed such that it does not create an ignition hazard.

7904.5.3 Tank Car Loading Racks.

7904.5.3.1 Construction. Construction shall be in accordance with Section 7904.5.2.1.

7904.5.3.2 Location. Location shall be in accordance with Section 7904.5.2.2.

7904.5.3.3 Static protection. Where the resistance of a tank car to ground through the rails is 25 ohms or greater, bonding shall be provided in accordance with Section 7904.5.2.3.

7904.5.3.4 Stray current protection. Tank car loading facilities where Class I, II or III-A liquids are loaded or unloaded through open domes shall be protected against stray currents by permanently bonding the pipe to at least one rail and to the rack structure. Multiple pipes entering the rack area shall be permanently electrically bonded together. In areas where excessive stray currents are known to exist, all pipes entering the rack area shall be provided with insulating sections to electrically isolate the rack piping from the pipe lines.

7904.5.3.5 Smoking. Smoking controls shall be in accordance with Section 7904.5.2.5.

7904.5.3.6 Security. Loading racks or properties on which a loading rack is located shall be surrounded by a fence not less than 5 feet (1524 mm) in height, constructed of wire mesh, solid metal sheathing or masonry. Tank cars shall not be loaded or unloaded unless such tank cars are entirely within such enclosure.

EXCEPTION: Existing installations where adequate public safety exists due to isolation, natural barriers or other factors as determined by the chief.

7904.5.3.7 Switch loading. Switch loading shall be in accordance with Section 7904.5.2.9.

7904.5.4 Liquid transfer.

7904.5.4.1 Transfer apparatus. Transfer apparatus shall be of an approved type.

7904.5.4.2 Destination of liquids off loaded from tank vehicles and tank cars.

7904.5.4.2.1 General. Class I, II or III liquids shall be transferred from a tank vehicle or tank car only into an approved atmospheric tank or approved portable tank, except as provided in Sections 7904.5.4.2.2 through 7904.5.4.6.

7904.5.4.2.2 Marine craft and special equipment. Liquids intended for use as motor fuels are allowed to be transferred

from tank vehicles into the fuel tanks of marine craft and special equipment under the following conditions and when approved by the chief, and when:

1. The tank vehicle's specific function is that of supplying fuel to fuel tanks and each premises shall require a separate permit issued in accordance with Section 105,
2. The operation shall be performed only where the general public has no access or where there is no unusual exposure to life and property,
3. The dispensing line shall not exceed 50 feet (15 240 mm) in length, and
4. The dispensing nozzle is approved.

7904.5.4.2.2.1 Vehicle fueling. When approved by the chief, dispensing of motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles is allowed in accordance with Article 52 and Sections 7904.2 and 7904.5.4.2.2.

7904.5.4.2.3 Emergency refueling. When approved by the chief, dispensing of motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles is allowed during emergencies. Dispensing from tank vehicles shall be in accordance with Sections 7904.2.8 and 7904.6.

7904.5.4.2.4 Aircraft fueling. Transfer of liquids from tank vehicles to the fuel tanks of aircraft is allowed in accordance with Section 2402.

7904.5.4.2.5 Fueling of vehicles at farms, construction sites and similar areas. Transfer of liquids from tank vehicles to motor vehicles for private use on farms and rural areas and at construction sites, earth moving projects, gravel pits and borrow pits is allowed in accordance with Section 7904.2.8.

7904.5.4.2.6 Disabled vehicles. When a tank vehicle or tank is disabled through accident or mechanical failure and it becomes necessary to remove the cargo at that location, such cargo is allowed to be transferred to another tank vehicle or tank car.

7904.5.4.3 Time limit for unloading. Tank vehicles and tank cars shall be unloaded as soon as possible after arrival at point of delivery and shall not be used as storage tanks. Tank cars shall be unloaded only on private sidings or railroad siding facilities equipped for transferring the liquid between tank cars and permanent storage tanks. Unless otherwise approved by the chief, a tank car shall not be allowed to remain on a siding at the point of delivery for more than 24 hours while connected for transfer operations.

7904.5.4.4 Unloading inside buildings. Tank vehicles or tank cars shall not be located inside of a building while unloading Class I, II or III-A liquids, unless approved by the chief.

EXCEPTION: Tank vehicles are allowed under canopies of automotive motor vehicle fuel-dispensing stations.

7904.5.4.5 Vehicle motor shut-down. See Section 7904.6.3.3.

7904.5.4.6 Attendant required. The operator or other competent person shall be in attendance at all times while a tank vehicle or tank car is discharging cargo. When practical, the tank vehicle or tank car shall be positioned such that

the operating controls and the discharging end of the hoses are both in view of the operator or other competent person.

7904.5.4.7 Chock blocks. At least two chock blocks not less than 5 inches by 5 inches by 12 inches (127 mm by 127 mm by 304.8 mm) in size and dished to fit the contour of tires shall be used during unloading operations of tank vehicles.

7904.6 Tank Vehicles and Tank Vehicle Operation.

7904.6.1 General. Tank vehicles shall be designed, constructed, equipped and maintained in accordance with U.F.C. Standard 79-4 and Section 7904.6.

7904.6.2 Full trailers and semitrailers.

7904.6.2.1 Attachments. Trailers shall be firmly and securely attached to the vehicle drawing them in a manner conforming with accepted engineering practice.

7904.6.2.2 Brakes. Full trailers and semitrailers shall be equipped with reliable brakes on all wheels, and adequate provisions shall be made for their efficient operation from the driver's seat of the vehicle drawing the trailer or semitrailer.

7904.6.2.3 Trailer connections. Trailer connections shall prevent the towed vehicle from whipping or swerving from side to side dangerously or unreasonably and shall cause the trailer to follow substantially in the path of the towing vehicle.

7904.6.3 Operation of tank vehicles.

7904.6.3.1 Vehicle maintenance. Tank vehicles shall not be operated unless they are in proper repair and free of accumulation of grease, oil or other flammables, and leaks.

7904.6.3.2 Leaving vehicle unattended. The driver, operator or attendant of a tank vehicle shall not leave the vehicle while it is being filled or discharged. The delivery hose, when attached to a tank vehicle, shall be considered to be a part of the tank vehicle.

7904.6.3.3 Vehicle motor shutdown. Motors of tank vehicles or tractors shall be shut down during the making or breaking of hose connections. If loading or unloading is performed without the use of a power pump, the tank vehicles or tractor motor shall be shut down throughout such operations.

7904.6.3.4 Bonding. Bonding shall be in accordance with Section 7904.5.2.3.

7904.6.3.5 Outage. A cargo tank or compartment thereof used for the transportation of flammable or combustible liquids shall not be loaded to absolute capacity. The vacant space in a cargo tank or compartment thereof used in the transportation of flammable or combustible liquids shall not be less than 1 percent. Sufficient space shall be left vacant to prevent leakage from or distortion of such tank or compartment by expansion of the contents due to rise in temperature in transit.

7904.6.3.6 Overfill protection. The driver, operator or attendant of a tank vehicle shall, before making delivery to a tank, determine the unfilled capacity of such tank by a suitable gaging device. To prevent overfilling, the driver,

operator or attendant shall not deliver in excess of that amount.

7904.6.3.7 Securing hatches. During loading, hatch covers shall be secured on all but the receiving compartments.

7904.6.3.8 Simultaneous delivery. Simultaneous delivery to underground tanks from two or more discharge hoses shall be made by means of mechanically tight connections between the hose and fill pipe.

7904.6.3.9 Covers closed in transit. Dome covers shall be closed and latched while the tank vehicle is in transit.

7904.6.3.10 Liquid temperature. Materials shall not be loaded into or transported in a tank vehicle at a temperature above the material's ignition temperature unless safeguarded in an approved manner.

7904.6.3.11 Low vapor-pressure liquids. Flammable and combustible liquids with a vapor pressure of 40 psi (275.8 kPa) absolute or less at 100°F. (37.8°C.) shall be loaded into cargo tanks designed and constructed in accordance with Section 7904.6.1.

7904.6.3.12 Bonding of fill stem. Cargo tanks shall be bonded to the fill stem or some part of the rack structure which is electrically interconnected with the fill-stem piping.

EXCEPTIONS:

1. Tank vehicles used for asphalt.
2. Tank vehicles loading flammable or combustible liquids through bottom connections.
3. Tank vehicles used exclusively for transporting Class III liquids when loaded at locations where Class I and II liquids are not handled.

7904.6.3.13 Bonding to underground tanks. An external bond-wire connection or bond-wire integral with a hose shall be provided for the transferring of flammable liquids through open connections into underground tanks.

7904.6.4 Smoking. Smoking by tank vehicle drivers, helpers or other personnel is prohibited while they are driving, making deliveries, filling or making repairs to tank vehicles.

7904.6.5 Parking.

7904.6.5.1 General. Parking of tank vehicles shall be in accordance with Section 7904.6.5.

EXCEPTION: In cases of accident, breakdown or other emergencies, tank vehicles are allowed to be parked and left unattended at any location while the operator is obtaining assistance.

7904.6.5.2 Unattended parking.

7904.6.5.2.1 Parking near residential, educational and institutional occupancies and other high risk areas. Tank vehicles shall not be left unattended at any time on residential streets, or within 500 feet (152.4 m) of a residential area, apartment or hotel complex, educational facility, hospital, or care facility. Tank vehicles shall not be left unattended at any other place that would, in the opinion of the chief, present an extreme life hazard.

7904.6.5.2.2 Parking on thoroughfares. Tank vehicles shall not be left unattended on a street, highway, avenue or alley.

EXCEPTIONS:

1. The necessary absence in connection with loading or unloading the vehicle. During actual fuel transfer, Section

7904.6.3.2 shall apply. The vehicle location shall be in accordance with Section 7904.6.5.2.1.

2. Stops for meals during the day or night, if the street is well lighted at the point of parking. The vehicle location shall be in accordance with Section 7904.6.5.2.1.

7904.6.5.2.3 Durations exceeding one hour. Tank vehicles parked at any one point for longer than one hour shall be located off of streets, highways, avenues or alleys, and

1. Inside of a bulk plant and either 25 feet (7620 mm) or more from the nearest property line or within a building approved for such use, or

2. At other approved locations not less than 50 feet (15 240 mm) from buildings other than those approved for the storage or servicing of such vehicles.

7904.6.6 Garaging. Tank vehicles shall not be parked or garaged in buildings other than those specifically approved for such use by the chief.

7904.6.7 Fire protection. Tank vehicles shall be equipped with a fire extinguisher having a minimum rating of 2-A, 20-B:C.

During unloading of the tank vehicle, the fire extinguisher shall be out of the carrying device on the vehicle and shall be 15 feet (4572 mm) or more from the unloading valves.

7904.7 Refineries.

7904.7.1 General. Plants and portions of plants in which flammable liquids are produced on a commercial scale from crude petroleum, natural gasoline or other hydrocarbon source shall be in accordance with Section 7904.7.

7904.7.2 Corrosion protection. Aboveground tanks and piping systems shall be protected against corrosion. See Article 90, Standard a.3.6.

7904.7.3 Inspection, repair, alteration or reconstruction of tanks and piping. The inspection, repair, alteration or reconstruction, including welding, cutting and hot tapping, of aboveground storage tanks and piping that have been placed in service shall be in accordance with nationally recognized standards. See Article 90, Standards a.3.7, a.3.14 and a.3.18.

7904.7.4 Cleaning of tanks. The safe entry and cleaning of petroleum storage tanks shall be conducted in accordance with nationally recognized standards and practices. See Article 90, Standard a.3.15.

7904.7.5 Asphalt products and residua derived from crude petroleum products. When asphalt products and residua derived from crude petroleum products are stored in heated tanks at refineries and bulk storage facilities in tank vehicles, such products shall be handled in accordance with nationally recognized standards. See Article 90, Standard a.3.16.

NEW SECTION

WAC 51-34-8000 Article 80—Hazardous materials.

NEW SECTION**WAC 51-34-8001 Section 8001—General.****8001.1 Scope.**

8001.1.1 General. Prevention, control and mitigation of dangerous conditions related to storage, dispensing, use and handling of hazardous materials and information needed by emergency response personnel shall be in accordance with Article 80.

- EXCEPTIONS:**
1. Off-site hazardous materials transportation in accordance with DOT requirements.
 2. The quantities of alcoholic beverages, medicines, foodstuffs and cosmetics, containing not more than 50 percent by volume of water-miscible liquids and with the remainder of the solutions not being flammable, in retail sales occupancies are unlimited when packaged in individual containers not exceeding 4 liters.

8001.1.2 Material classification. Hazardous materials are those chemicals or substances defined as such in Article 2. See Appendix VI-A for the classification of hazard categories and hazard evaluations.

The classification system referenced in Section 8002 shall apply to all hazardous materials, including those materials regulated elsewhere in this code.

Mixtures shall be classified in accordance with hazards of the mixture as a whole. Mixtures shall be classified by a qualified organization, individual or testing laboratory approved by the chief.

8001.1.3 Application. Section 8001 shall apply to all hazardous materials, including those materials regulated elsewhere in this code, except that when specific requirements are provided in other articles, those specific requirements shall apply.

When a material has multiple hazards, all hazards shall be addressed.

The provisions of Article 80 related to health hazards as classified in Section 8002 are waived when the chief has determined that such enforcement is preempted by other codes, statutes or ordinances. The details of any action granting such a waiver shall be recorded and entered in the files of the code enforcement agency.

8001.1.4 Existing buildings. For existing buildings, see Section 102.

8001.1.5 Retail and wholesale storage and display. For retail and wholesale storage and display of nonflammable solid and nonflammable or noncombustible liquid hazardous materials in Group M retail sales occupancies, see Section 8001.12.

8001.2 Definitions.

8001.2.1 General. For definitions of BARRICADE; BULK OXYGEN SYSTEM; CARCINOGEN; CEILING LIMIT, CHEMICAL, C.F.R.; CHEMICAL NAME; COMMON RADIATION SOURCE MATERIAL; COMPRESSED GAS; COMPRESSED GAS CONTAINER; COMPRESSED GAS SYSTEM; CONTINUOUS GAS-DETECTION SYSTEM; CONTROL AREA; CYLINDER; CORROSIVE; DEFLAGRATION; DETACHED STORAGE; DETONATION; DOT; EXCESS FLOW CONTROL; EXCESS FLOW

VALVE; EXPLOSION; EXPLOSIVE; FISSILE MATERIAL; FLAMMABLE GAS; FLAMMABLE LIQUEFIED GAS; FLAMMABLE SOLID; HANDLING; HAZARDOUS MATERIAL; HEALTH HAZARD; HIGHLY TOXIC MATERIAL; HIGHLY VOLATILE LIQUID; IDLH; INERT GAS; IRRITANT; MATERIAL SAFETY DATA SHEET; NESTING; NORMAL TEMPERATURE AND PRESSURE (NTP); ORGANIC PEROXIDE; OSHA; OXIDIZER; PERMISSIBLE EXPOSURE LIMIT (PEL); PEROXIDE-FORMING CHEMICAL; PHYSICAL HAZARD; PORTABLE TANKS; PRIMARY CONTAINMENT; PROPRIETARY INFORMATION; PYROPHORIC; REDUCED FLOW VALVE; RETAIL SALES OCCUPANCY; SCAVENGED GAS; SECONDARY CONTAINMENT; SEGREGATED; SENSITIZER; SEPARATE GAS STORAGE ROOM; SIMPLE ASPHYXIANT GAS; STATIONARY TANK; STORAGE FACILITY; TOXIC MATERIAL; UNAUTHORIZED DISCHARGE; UNSTABLE MATERIAL, UNSTABLE (reactive) LIQUID; USE, CLOSED SYSTEM; USE, OPEN SYSTEM; and WATER-REACTIVE MATERIAL, see Article 2.

8001.2.2 Limited application. For the purpose of Article 80, certain terms are defined as follows:

CONTAINER is any vessel of 60 United States gallons (227.1 L) or less capacity used for transporting or storing hazardous materials.

OUTDOOR AREA is a single, contiguous property exterior to buildings or without buildings thereon which is under the ownership or control of a single person. See also definition of PERSON in Section 217.

8001.3 Permits.

8001.3.1 General. Permits are required to store, dispense, use or handle hazardous material in excess of quantities specified in Section 105, Permit h.1.

A permit is required when a material is classified as having more than one hazard category if the quantity limits are exceeded in any category.

Permits are required to install, repair, abandon, remove, place temporarily out of service, close or substantially modify a storage facility or other area regulated by Article 80. See also Section 8001.11.

- EXCEPTIONS:**
1. Routine maintenance.
 2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.

Permittee shall apply for approval to close storage, use or handling facilities at least 30 days prior to the termination of the storage, use or handling of hazardous materials. Such application shall include any change or alteration of the facility closure plan filed pursuant to Section 8001.11. This 30-day period may be waived by the chief if there are special circumstances requiring such waiver.

8001.3.2 Hazardous materials management plan. When required by the chief, each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

1. Storage and use areas,
2. Maximum amount of each material stored or used in each area,
3. Range of container sizes,
4. Locations of emergency isolation and mitigation valves and devices,
5. Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines, and
6. On and off positions of valves for valves which are of the self-indicating type.

The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages.

See also Appendix II-E.

EXCEPTION: When an HMMP is required, the applicant may submit the report(s) used for compliance with requirements of 40 CFR "Hazardous Chemical Reporting and Community Right-to-Know Regulations" under Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA).

8001.3.3 Hazardous materials inventory statement. When required by the chief, each application for a permit shall include a hazardous materials inventory statement (HMIS). See also Appendix II-E.

8001.4 Systems, Equipment and Processes.

8001.4.1 General. Containers, cylinders and tanks utilized for storage, dispensing, use or handling of hazardous materials shall be in accordance with Section 8001.4.

8001.4.2 Design and construction of containers, cylinders and tanks. Containers, cylinders and tanks shall be designed and constructed in accordance with nationally recognized standards. See Article 90 and Section 101.3. Containers, cylinders, tanks and other means used for transporting hazardous materials shall be of an approved type.

8001.4.3 Piping, tubing, valves and fittings.

8001.4.3.1 General. Piping, tubing, valves and fittings conveying hazardous materials shall be installed in accordance with approved standards and shall be in accordance with Section 8001.4.3.

8001.4.3.2 Design and construction. Piping, tubing, valves, fittings and related components used for hazardous materials shall be in accordance with the following:

1. Piping, tubing, valves, fittings and related components shall be designed and fabricated from materials compatible with the material to be contained and shall be of adequate strength and durability to withstand the pressure, structural and seismic stress, and exposure to which they are subject,

2. Piping and tubing shall be identified in accordance with nationally recognized standards (see Article 90, Standard a.2.1) to indicate the material conveyed,

3. Emergency shutoff valves shall be identified and the location shall be clearly visible and indicated by means of a sign, and

4. Backflow-prevention or check valves shall be provided when the backflow of hazardous materials could create a hazardous condition or cause the unauthorized discharge of hazardous materials.

8001.4.3.3 Additional regulations for supply piping for health hazard materials. Supply piping and tubing for gases and liquids having a health hazard ranking of 3 or 4 in accordance with U.F.C. Standard 79-3 shall also be in accordance with the following:

1. Piping and tubing utilized for the transmission of highly toxic or toxic material shall have welded or brazed connections throughout unless an exhausted enclosure is provided if the material is a gas, or the piping is provided with a receptor for containment if the material is a liquid,

EXCEPTION: Nonmetallic piping with approved connections.

2. Piping and tubing shall not be located within exit corridors, within any portion of an exit required to be enclosed in fire-resistive construction, or above areas not classified as Group H Occupancies,

EXCEPTION: Piping and tubing within the space defined by the walls of exit corridors and floor or roof above or in concealed space above other occupancies when installed in accordance with the Building Code as required for Group H, Division 6 Occupancies. See U.B.C. Section 307.11.6.2.

3. Where gases or liquids are carried in pressurized piping above 15 psig (103.4 kPa), excess flow control shall be provided. Where the piping originates from within a hazardous material storage room or area, the excess flow control shall be located within the storage room or area. Where the piping originates from a bulk source, the excess flow control shall be located as close to the bulk source as practical, and

4. Readily accessible manual or automatic remotely activated fail-safe emergency shutoff valves shall be installed on supply piping and tubing at the following locations:

- 4.1 The point of use, and

- 4.2 The tank, cylinder or bulk source.

8001.4.3.4 Flammable, oxidizing and pyrophoric gases. Low melting point materials, such as aluminum, copper and some brass alloys or materials which soften on fire exposure, such as nonmetallic materials, or nonductile materials, such as cast iron, shall not be used for piping, valves or fittings conveying flammable, pyrophoric or oxidizing gases unless they are in accordance with one of the following:

1. Suitably protected against fire exposure by fire-resistive construction, gas cabinets, automatic fire sprinklers or other approved methods,

2. Located so that any release resulting from failure will not unduly expose persons, buildings or structures, or

3. Located where leakage can readily be controlled by operation of an accessible, remotely located valve or valves.

8001.4.4 Suitability of equipment, machinery and processes. Equipment, machinery and processes utilized for

dispensing, use or handling of hazardous materials shall be approved, listed, or designed and constructed in accordance with approved standards for the intended use. Such equipment, machinery and processes shall be maintained in an operable condition.

8001.4.5 Installation of tanks.

8001.4.5.1 Underground tanks.

8001.4.5.1.1 General. Underground tanks used for the storage of liquid hazardous materials shall be located and protected in accordance with Section 7902.6.11.

8001.4.5.1.2 Secondary containment. Secondary containment shall be provided for new installations of underground tanks.

8001.4.5.2 Aboveground tanks. Aboveground stationary tanks used for the storage of hazardous materials shall be located and protected in accordance with the requirements for outdoor storage of the particular material involved and shall be marked as required by Section 8003.1.2.

8001.4.6 Empty containers and tanks. Empty containers and tanks previously used for the storage of hazardous materials shall be free from residual material and vapor as defined by DOT, the Resource Conservation and Recovery Act (RCRA) or other regulating authority or maintained as specified for the storage of the hazardous material.

8001.4.7 Maintenance.

8001.4.7.1 General. Defective containers, cylinders and tanks shall be removed from service, repaired or disposed of in an approved manner. Equipment, machinery and processes found to be defective shall be replaced, repaired or removed from service. See also Section 8001.4.4.

8001.4.7.2 Tanks out-of-service for 90 days. Stationary tanks not used for a period of 90 days shall be properly safeguarded or removed in a manner approved by the chief. Such tanks shall have the fill line, gauge opening and pump connection secured against tampering. Vent lines shall be properly maintained.

Tanks which are to be placed back in service shall be tested in a manner approved by the chief.

8001.4.7.3 Defective containers and tanks. Defective containers and tanks shall be removed from service, repaired or disposed of in an approved manner.

8001.5 Release of Hazardous Materials.

8001.5.1 General. Hazardous materials shall not be released into a sewer, storm drain, ditch, drainage canal, lake, river or tidal waterway, or upon the ground, sidewalk, street, highway or into the atmosphere.

- EXCEPTIONS:
1. Pesticide products and materials intended for use in weed abatement, erosion control, soil amendment or similar applications when applied in accordance with the manufacturer's instructions, label directions and in accordance with nationally recognized standards.
 2. Materials released in accordance with federal, state or local governing regulations or permits of the jurisdictional Air Quality Management Board with a National Pollutant Discharge Elimination System Permit, with waste discharge requirements established by the jurisdictional Water Quality Control Board or

with local sewer pretreatment requirements for publicly owned treatment works.

8001.5.2 Unauthorized discharges.

8001.5.2.1 Records. Accurate records shall be kept of the unauthorized discharge of hazardous materials by the permittee.

8001.5.2.2 Notification. The chief shall be notified immediately when an unauthorized discharge becomes reportable under state, federal or local regulations.

8001.5.2.3 Preparation. Provisions shall be made for controlling and mitigating unauthorized discharges.

8001.5.2.4 Control. When an unauthorized discharge due to primary container failure is discovered, the involved primary container shall be repaired or removed from service.

8001.5.2.5 Responsibility for cleanup. The person, firm or corporation responsible for an unauthorized discharge shall institute and complete all actions necessary to remedy the effects of such unauthorized discharge, whether sudden or gradual, at no cost to the jurisdiction.

When deemed necessary by the chief, cleanup may be initiated by the fire department or by an authorized individual or firm. Costs associated with such cleanup shall be borne by the owner, operator or other person responsible for the unauthorized discharge.

8001.6 Material Safety Data Sheets. Material safety data sheets (MSDS) shall be readily available on the premises for hazardous materials regulated by Article 80. See also Section 8001.3.2.

8001.7 Identification Signs. Visible hazard identification signs as specified in U.F.C. Standard 79-3 shall be placed at entrances to locations where hazardous materials are stored, dispensed, used or handled in quantities requiring a permit. Signs shall be provided at specific entrances designated by the chief.

EXCEPTION: The chief may waive this requirement in special cases when consistent with safety if the owner or operator has submitted a hazardous materials management plan and hazardous materials inventory statement. See Appendix II-E and Sections 8001.3.2 and 8001.3.3.

Individual containers, cartons or packages shall be conspicuously marked or labeled in accordance with nationally recognized standards. See also Section 8003.1.2.

Rooms or cabinets containing compressed gases shall be conspicuously labeled COMPRESSED GAS.

8001.8 Construction Requirements.

8001.8.1 General. Buildings, or portions thereof, in which hazardous materials are stored, handled or used shall be constructed in accordance with the Building Code.

8001.8.2 Control areas.

8001.8.2.1 Construction requirements. Control areas shall be separated from each other by not less than a one-hour fire-resistive occupancy separation.

8001.8.2.2 Number. The number of control areas in buildings or portions of buildings used for retail or wholesale

sales shall not exceed two. The number of control areas in buildings with other uses shall not exceed four.

8001.9 General Safety Precautions.

8001.9.1 Personnel training and written procedures.

8001.9.1.1 General. Persons responsible for the operation of areas in which hazardous materials are stored, dispensed, handled or used shall be familiar with the chemical nature of the materials and the appropriate mitigating actions necessary in the event of fire, leak or spill.

8001.9.1.2 Fire department liaison. Responsible persons shall be designated and trained to be liaison personnel for the fire department. These persons shall aid the fire department in preplanning emergency responses and identification of the locations where hazardous materials are located and shall have access to material safety data sheets and be knowledgeable in the site emergency response procedures.

8001.9.2 Security. The storage, dispensing, use and handling areas shall be secured against unauthorized entry and safeguarded with such protective facilities as public safety requires.

8001.9.3 Protection from vehicles. Guard posts or other approved means shall be provided to protect storage tanks and connected piping, valves and fittings; dispensing areas; and use areas subject to vehicular damage. When guard posts are installed, the posts shall be:

1. Constructed of steel not less than 4 inches (101.6 mm) in diameter and concrete filled,
2. Spaced not more than 4 feet (1219 mm) between posts on center,
3. Set not less than 3 feet (914 mm) deep in a concrete footing of not less than a 15-inch (381 mm) diameter,
4. Set with the top of the posts not less than 3 feet (914 mm) above ground, and
5. Located not less than 5 feet (1524 mm) from the tank.

8001.9.4 Electrical wiring and equipment. Electrical wiring and equipment shall be installed in accordance with the Electrical Code.

8001.9.5 Static accumulation. When processes or conditions exist where a flammable mixture could be ignited by static electricity, means shall be provided to prevent the accumulation of a static charge.

8001.9.6 Protection from light. Materials which are sensitive to light shall be stored in containers designed to protect them from such exposure.

8001.9.7 Shock padding. Materials which are shock sensitive shall be padded, suspended or otherwise protected against accidental dislodgment and dislodgment during seismic activity. For seismic requirements and the seismic zone in which the material is located, see the Building Code.

8001.9.8 Separation of incompatible materials. Incompatible materials in storage and storage of materials incompatible with materials in use shall be separated when the stored materials are in containers having a capacity of more

than 5 pounds (2.268 kg) or ½ gallon (1.89 L). Separation shall be accomplished by:

1. Segregating incompatible materials storage by a distance of not less than 20 feet (6096 mm),
2. Isolating incompatible materials storage by a noncombustible partition extending not less than 18 inches (457.2 mm) above and to the sides of the stored material,
3. Storing liquid and solid materials in hazardous materials storage cabinets (see Section 8003.1.10), or
4. Storing compressed gases in gas cabinets or exhausted enclosures in accordance with Sections 8003.3.1.3.2 and 8003.3.1.3.3.

Materials which are incompatible shall not be stored within the same cabinet or exhausted enclosure.

8001.10 Handling and Transportation.

8001.10.1 General. Handling and transportation of hazardous materials in exit corridors or exit enclosures shall be in accordance with Section 8001.10. See also Section 8001.4.

Hazardous materials gas containers, cylinders and tanks in transit shall have their protective caps in place. Containers, cylinders and tanks of highly toxic or toxic compressed gases shall have their valve outlets capped or plugged with an approved closure device. See also Sections 7401.7 and 7403.3.

8001.10.2 Required use of carts and trucks. Liquids in containers exceeding 5 gallons (18.9 L) in an exit corridor or exit enclosure shall be transported on a cart or truck. Containers of hazardous materials having a hazard ranking of 3 or 4 in accordance with U.F.C. Standard 79-3 transported within exit corridors or exit enclosures shall be on a cart or truck. When carts and trucks are required for transporting hazardous materials, they shall be in accordance with Section 8001.10.3.

- EXCEPTIONS:
1. Two hazardous materials liquid containers, which are hand carried in acceptable safety carriers.
 2. Single drums not exceeding 55 gallons (208.2 L), which are transported by suitable drum trucks.
 3. Containers and cylinders of compressed gases, which are transported by approved hand trucks, and containers and cylinders not exceeding 25 pounds (11.3 kg), which are hand carried.
 4. Solid hazardous materials not exceeding 100 pounds (45.4 kg), which are transported by approved hand trucks, and a single container not exceeding 50 pounds (22.7 kg), which is hand carried.

8001.10.3 Carts and trucks.

8001.10.3.1 General. Carts and trucks required by Section 8001.10.2 to be used to transport hazardous materials shall be in accordance with Section 8001.10.3.

8001.10.3.2 Design. Carts and trucks used to transport hazardous materials shall be designed to provide a stable base for the commodities to be transported and shall have a means of restraining containers to prevent accidental dislodgment. Compressed gas cylinders placed on carts and trucks shall be individually restrained.

8001.10.3.3 Speed-control devices. Carts and trucks shall be provided with a device which will enable the operator to

safely control movement by providing stops or speed-reduction devices.

8001.10.3.4 Construction. Construction materials for hazardous materials carts or trucks shall be compatible with the material transported. The cart or truck shall be of substantial construction.

8001.10.3.5 Spill control. Carts and trucks transporting liquids shall be capable of containing a spill from the largest single container transported.

8001.10.3.6 Attendance. Carts and trucks used to transport materials shall not obstruct or be left unattended within any part of an exit.

8001.10.3.7 Incompatible materials. Incompatible materials shall not be transported on the same cart or truck.

8001.11 Facility Closure.

8001.11.1 Temporarily out-of-service facilities. Facilities which are temporarily out of service shall continue to maintain a permit and be monitored and inspected.

8001.11.2 Permanently out-of-service facilities. Facilities for which a permit is not kept current or is not monitored and inspected on a regular basis shall be deemed to be permanently out of service and shall be closed in accordance with Section 8001.11.3.

8001.11.3 Plan. The permit holder or applicant shall submit a plan to the fire department to terminate storage, dispensing, handling or use of hazardous materials at least 30 days prior to facility closure. The plan shall demonstrate that hazardous materials which were stored, dispensed, handled or used in the facility have been transported, disposed of or reused in a manner that eliminates the need for further maintenance and any threat to public health and safety. Such plan shall be submitted in accordance with Section 8001.3.1.

8001.12 Retail and Wholesale Storage and Display.

8001.12.1 General. The aggregate quantity of nonflammable solid and nonflammable or noncombustible liquid hazardous materials within a single control area of a Group M retail or wholesale sales occupancy is allowed to exceed the exempt amounts specified in Section 8001.13 when in accordance with Section 8001.12. The maximum quantity allowed within a single control area of a retail or wholesale sales occupancy shall be the greater of the exempt amount derived from Section 8001.13 or the amount derived from the formula:

$$E_R = E \times R \times A$$

$$E_R = 10.8 \times E \times R \times A$$

For SI:

WHERE:

E_R = exempt amount allowed in a single control area of a retail or wholesale sales occupancy.

E = exempt amount specified in Section 8001.13.

R = multiplier for retail or wholesale sales occupancies from Table 8001.12-A.

A = area of the hazardous material retail display or storage in square feet (m^2).

8001.12.2 Maximum area. The maximum aggregate floor area "A" for hazardous material retail or wholesale display or storage over which the multiplier is applied shall not exceed 1,500 square feet ($139.4 m^2$) per control area.

8001.12.3 Storage and display areas.

8001.12.3.1 General. The area of storage or display shall also be in accordance with Section 8001.12.3.

8001.12.3.2 Density. Display of solids shall not exceed 200 pounds per square foot ($976.4 kg/m^2$) of floor area actually occupied by solid merchandise. Display of liquids shall not exceed 20 gallons per square foot ($76 L/m^2$) of floor area actually occupied by liquid merchandise.

8001.12.3.3 Height. Display height shall not exceed 6 feet (1829 mm).

8001.12.3.4 Container location. Individual containers less than 5 gallons (19 L) or less than 25 pounds (11.3 kg) shall be stored on pallets, racks or shelves.

8001.12.3.5 Racks and shelves. Storage racks and shelves shall be in accordance with Section 8003.1.4.

8001.12.3.6 Container type. Containers shall be approved for the use intended.

8001.12.3.7 Container size. Individual containers shall not exceed 100 pounds (45.4 kg) or a 5-gallon (19 L) capacity.

8001.12.3.8 Incompatible materials. Incompatible materials shall be separated in accordance with Section 8001.9.8.

8001.12.3.9 Floors. Floors shall be in accordance with Section 8003.1.18.

8001.12.3.10 Aisles. Aisles 4 feet (1219 mm) in width shall be maintained on three sides of the display area.

8001.12.3.11 Signs. Hazard identification signs shall be provided in accordance with Section 8001.7.

8001.13 Exempt Amounts.

8001.13.1 General. Exempt amounts shall be as specified in Section 8001.13.2 and Tables 8001.13-A through 8001.13-D. Storage, dispensing, use and handling of hazardous materials in quantities exceeding exempt amounts shall be in accordance with Sections 8001, 8003 and 8004.

Storage, dispensing, use and handling of hazardous materials in quantities not exceeding exempt amounts shall be in accordance with Section 8001.

Where exempt amounts are indicated in pounds (kilograms), a conversion of 10 pounds per gallon (1.2 kg/L) shall be used.

For retail and wholesale display, see Section 8001.12.

8001.13.2 Special limitations for indoor storage and use by occupancy.

8001.13.2.1 General. Quantities of hazardous materials shall be limited within occupancies in accordance with Sections 8001.13.2 and 8001.13.3.

8001.13.2.2 Group A Occupancies.

8001.13.2.2.1 Toxic and highly toxic compressed gases. Toxic and highly toxic compressed gases shall not be stored or used within Group A Occupancies.

EXCEPTION: Cylinders not exceeding 20 cubic feet ($0.57 m^3$) at NTP are allowed within gas cabinets or fume hoods.

8001.13.2.2.2 Liquid and solid oxidizers. Class 4 liquid and solid oxidizers shall not be stored or used in Group A Occupancies.

EXCEPTION: Class 4 liquid and solid oxidizers are allowed when stored within hazardous materials storage cabinets. Hazardous materials storage cabinets shall comply with Section 8003.1.10 and shall not contain other storage.

8001.13.2.2.3 Organic peroxides. Unclassified detonatable and Class I organic peroxides shall not be stored or used in Group A Occupancies.

EXCEPTION: Unclassified detonatable and Class I organic peroxides are allowed when stored within hazardous materials storage cabinets. Hazardous materials storage cabinets shall comply with Section 8003.1.10 and shall not contain other storage.

8001.13.2.2.4 Unstable (reactive) materials. Class 3 and 4 unstable (reactive) materials shall not be stored or used in Group A Occupancies.

EXCEPTION: Class 3 and 4 unstable (reactive) materials are allowed when stored within hazardous materials storage cabinets. Hazardous materials storage cabinets shall comply with Section 8003.1.10 and shall not contain other storage.

8001.13.2.2.5 Flammable and oxidizing gases. Except for cylinders not exceeding 250 cubic feet (7.1 m³) at NTP used for maintenance purposes, patient care or operation of equipment, flammable and oxidizing gases shall not be stored or used in Group A Occupancies.

The aggregate quantities of gases used for maintenance purposes and operation of equipment shall not exceed the exempt amounts listed in Table 8001.13-A.

8001.13.2.3 Groups B, F, M and S Occupancies.

8001.13.2.3.1 Toxic and highly toxic compressed gases. Toxic and highly toxic compressed gases shall not be stored or used in offices, retail sales or classroom portions of Group B, F, M or S Occupancies.

EXCEPTION: When within classrooms of Group B Occupancies, cylinders not exceeding 20 cubic feet (0.57 m³) at NTP are allowed in gas cabinets or fume hoods.

8001.13.2.3.2 Liquid and solid oxidizers. Class 4 liquid and solid oxidizers shall not be stored or used in offices, retail sales or classroom portions of Group B, F, M or S Occupancies.

EXCEPTION: When within classrooms of Groups B, F and M Occupancies, Class 4 liquid and solid oxidizers are allowed when stored in hazardous materials storage cabinets. Hazardous materials storage cabinets shall comply with Section 8003.1.10 and shall not contain other storage.

8001.13.2.3.3 Organic peroxides. Unclassified detonatable and Class I organic peroxides shall not be stored or used in offices, classrooms and retail sales portions or Group B, F, M or S Occupancies.

EXCEPTION: When within classrooms of Groups B, F and M Occupancies, undetonatable and Class I organic peroxides are allowed when stored within hazardous materials storage cabinets. Hazardous materials storage cabinets shall comply with Section 8003.1.10 and shall not contain other storage.

8001.13.2.3.4 Unstable (reactive) materials.

8001.13.2.3.4.1 Offices. Class 3 and 4 unstable (reactive) materials shall not be stored or used in offices of Group B, F, M or S Occupancies.

8001.13.2.3.4.2 Classrooms. Class 3 and 4 unstable (reactive) materials shall not be stored or used in classrooms of Group B, F or M Occupancies.

EXCEPTION: Class 3 and 4 unstable (reactive) materials are allowed when stored within hazardous materials storage cabinets. Hazardous materials storage cabinets shall comply with Section 8003.1.10 and shall not contain other storage.

8001.13.2.3.4.3 Retail sales. Class 4 unstable (reactive) materials shall not be stored or used in retail sales portions of Group M Occupancies.

8001.13.2.3.5 Flammable and oxidizing gases. Except for cylinders not exceeding 250 cubic feet (7.08 m³) at NTP used for maintenance purposes, patient care or operation of equipment, flammable and oxidizing gases shall not be stored or used in Group B, F, M or S Occupancies.

The aggregate quantities of gases used for maintenance purposes, patient care and operation of equipment shall not exceed the exempt amounts listed in Table 8001.13-A. Medical gas system supply cylinders shall be located in medical gas storage rooms in gas cabinets as set forth in Section 7404.2.

8001.13.2.4 Group E Occupancies.

8001.13.2.4.1 Toxic and highly toxic compressed gases. Toxic and highly toxic compressed gases shall not be stored or used in Group E Occupancies.

EXCEPTION: Cylinders not exceeding 20 cubic feet (0.57 m³) at NTP are allowed within gas cabinets or fume hoods.

8001.13.2.4.2 Liquid and solid oxidizers. Class 4 liquid and solid oxidizers shall not be stored or used in Group E Occupancies.

EXCEPTION: Class 4 liquid and solid oxidizers are allowed when stored within hazardous materials storage cabinets. Hazardous materials storage cabinets shall comply with Section 8003.1.10 and shall not contain other storage.

8001.13.2.4.3 Organic peroxides. Unclassified detonatable and Class I organic peroxides shall not be stored or used in Group E Occupancies.

EXCEPTION: Unclassified detonatable and Class I organic peroxides are allowed when stored within hazardous materials storage cabinets. Hazardous materials storage cabinets shall comply with Section 8003.1.10 and shall not contain other storage.

8001.13.2.4.4 Unstable (reactive) materials. Class 3 and 4 unstable (reactive) materials shall not be stored or used in Group E Occupancies.

EXCEPTION: Class 3 and 4 unstable (reactive) materials are allowed when stored within hazardous materials storage cabinets. Hazardous materials storage cabinets shall comply with Section 8003.1.10 and shall not contain other storage.

8001.13.2.4.5 Flammable and oxidizing gases. Except for cylinders not exceeding 250 cubic feet (7.08 m³) at NTP used for maintenance purposes or operation of equipment, flammable and oxidizing gases shall not be stored or used in Group E Occupancies.

The aggregate quantities of gases used for maintenance purposes and operation of equipment shall not exceed the exempt amounts listed in Table 8001.13-A.

8001.13.2.5 Group I Occupancies.

8001.13.2.5.1 Toxic and highly toxic compressed gases. Toxic and highly toxic compressed gases shall not be stored or used within Group I Occupancies.

EXCEPTION: Cylinders not exceeding 20 cubic feet (0.57 m³) at NTP are allowed within gas cabinets or fume hoods in quantities up to the exempt amount.

8001.13.2.5.2 Liquid and solid oxidizers.

8001.13.2.5.2.1 Class 4. Class 4 liquid and solid oxidizers shall not be stored or used in Group I Occupancies.

EXCEPTION: Class 4 liquid and solid oxidizers are allowed when stored within hazardous materials storage cabinets. Hazardous materials storage cabinets shall comply with Section 8003.1.10 and shall not contain other storage.

8001.13.2.5.2.2 Class 3. A maximum of 200 pounds (90.7 kg) of solid or 2 gallons (7.57 L) of liquid Class 3 oxidizer is allowed in Group I Occupancies when such materials are necessary for maintenance purposes or operation of equipment. The oxidizers shall be stored in approved containers and in a manner approved by the chief.

8001.13.2.5.3 Organic peroxides. Unclassified detonatable and Class I organic peroxides shall not be stored or used in Group I Occupancies.

EXCEPTION: Unclassified detonatable and Class I organic peroxides are allowed when stored within hazardous materials storage cabinets. Hazardous materials storage cabinets shall comply with Section 8003.1.10 and shall not contain other storage.

8001.13.2.5.4 Unstable (reactive) materials. Class 3 and 4 unstable (reactive) materials shall not be stored or used in Group I Occupancies.

EXCEPTION: Class 3 and 4 unstable (reactive) materials are allowed when stored within hazardous materials storage cabinets. Hazardous materials storage cabinets shall comply with Section 8003.1.10 and shall not contain other storage.

8001.13.2.5.5 Flammable and oxidizing gases. Except for cylinders not exceeding 250 cubic feet (7.08 m³) at NTP used for maintenance purposes, patient care or operation of equipment, flammable and oxidizing gases shall not be stored or used in Group I Occupancies.

The aggregate quantities of gases used for maintenance purposes, patient care and operation of equipment shall not exceed the exempt amounts listed in Table 8001.13-A. Medical gas system supply cylinders shall be located in medical gas storage rooms or gas cabinets as set forth in Section 7404.2.

8001.13.2.6 Group R Occupancies.

8001.13.2.6.1 Toxic and highly toxic compressed gases. Toxic and highly toxic compressed gases shall not be stored or used in Group R Occupancies.

8001.13.2.6.2 Liquid and solid oxidizers.

8001.13.2.6.2.1 Class 4. Class 4 liquid and solid oxidizers shall not be stored or used within Group R Occupancies.

8001.13.2.6.2.2 Class 3. A maximum of 200 pounds (90.7 kg) of solid or 20 gallons (7.57 L) of liquid Class 3 oxidizers is allowed in Group R Occupancies when such materials are necessary for maintenance purposes or operation of equipment. The oxidizers shall be stored in approved containers and in a manner approved by the chief.

8001.13.2.6.3 Organic peroxides. Unclassified detonatable and Class I organic peroxides shall not be stored or used within Group R Occupancies.

8001.13.2.6.4 Unstable (reactive) materials. Class 3 and 4 unstable (reactive) materials shall not be stored or used within Group R Occupancies.

8001.13.2.6.5 Flammable and oxidizing gases. Except for cylinders not exceeding 250 cubic feet (7.08 m³) at NTP used for maintenance purposes or operation of equipment, flammable and oxidizing gases shall not be stored or used in Group R Occupancies.

The aggregate quantities of gases used for maintenance purposes and operation of equipment shall not exceed the exempt amounts listed in Table 8001.13-A.

8001.13.2.7 Group U Occupancies.

8001.13.2.7.1 Toxic and highly toxic compressed gases. Toxic and highly toxic compressed gases shall not be stored or used within Group U Occupancies.

EXCEPTION: Cylinders not exceeding 20 cubic feet (0.57 m³) at NTP are allowed within gas cabinets or fume hoods.

8001.13.2.7.2 Liquid and solid oxidizers.

8001.13.2.7.2.1 Class 4. Class 4 liquid and solid oxidizers shall not be stored or used in Group U Occupancies.

EXCEPTION: Class 4 liquid and solid oxidizers are allowed when stored within hazardous materials storage cabinets. Hazardous materials storage cabinets shall comply with Section 8003.1.10 and shall not contain other storage.

8001.13.2.7.2.2 Class 3. A maximum of 200 pounds (90.7 kg) of solid or 2 gallons (7.57 L) of liquid Class 3 oxidizer is allowed in Group U Occupancies when such materials are necessary for maintenance purposes or operation of equipment. The oxidizers shall be stored in approved containers and in a manner approved by the chief.

8001.13.2.7.3 Organic peroxides. Unclassified detonatable and Class I organic peroxides shall not be stored or used in Group U Occupancies.

EXCEPTION: Unclassified detonatable and Class I organic peroxides are allowed when stored within hazardous materials storage cabinets. Hazardous materials storage cabinets shall comply with Section 8003.1.10 and shall not contain other storage.

8001.13.2.7.4 Unstable (reactive) materials. Class 3 and 4 unstable (reactive) materials shall not be stored or used in Group U Occupancies.

EXCEPTION: Class 3 and 4 unstable (reactive) materials are allowed when stored within hazardous materials storage cabinets. Hazardous materials storage cabinets shall comply with Section 8003.1.10 and shall not contain other storage.

8001.13.3 Special requirements for toxic liquids. The exempt amount for toxic liquids with vapor pressures in

excess of 1 psia (6.89 kPa) at 77°F. (25°C.) shall be the exempt amount listed for highly toxic liquids.

8001.14 Regulations for Specific Hazardous Materials in Quantities not Exceeding Exempt Amounts.

8001.14.1 General. Hazardous materials stored, dispensed, used or handled in quantities not exceeding exempt amounts set forth in Section 8001.13 shall be in accordance with Section 8001.14.

8001.14.2 Flammable gases.

8001.14.2.1 Emergency shutoff. Compressed gas systems conveying flammable gases shall be provided with emergency shutoff capability in accordance with Section 8004.1.14.

8001.14.2.2 Ignition source control. Ignition sources in areas containing flammable gases shall be controlled in accordance with Section 8003.1.3.

NO SMOKING signs shall be posted in areas containing flammable gases in accordance with Section 8003.1.2.

8001.14.2.3 Liquefied flammable gases and flammable gases in solution. Containers of liquefied flammable gases and flammable gases in solution shall be positioned in accordance with Section 8004.1.15.

8001.14.3 Oxidizing gases.

8001.14.3.1 Emergency shutoff. Compressed gas systems conveying oxidizing gases shall be provided with emergency shutoff capability in accordance with Section 8004.1.14.

8001.14.3.2 Ignition source control. Ignition sources in areas containing oxidizing gases shall be controlled in accordance with Section 8003.1.3.

8001.14.4 Pyrophoric gases.

8001.14.4.1 Emergency shutoff. Compressed gas systems conveying pyrophoric gases shall be provided with emergency shutoff capability in accordance with Section 8004.1.14.

NEW SECTION

WAC 51-34-8003 Section 8003—Storage.

8003.1 General.

8003.1.1 Applicability. Storage of hazardous materials where the aggregate quantity is in excess of the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8001 and 8003.

Storage of hazardous materials where the aggregate quantity does not exceed the exempt amounts set forth in Section 8001.13 shall be in accordance with Section 8001.

For display and storage in retail and wholesale sales occupancies, see Section 8001.12.

Hazardous materials regulated by other articles are not required to be in accordance with Section 8003 unless specifically indicated in Section 8003.

8003.1.2 Signs. In addition to the hazard identification signs required by Section 8001.7, stationary aboveground tanks shall be placarded with hazard identification signs as specified in U.F.C. Standard 79-3 for the specific material contained.

Signs prohibiting smoking shall be provided in storage areas and within 25 feet (7620 mm) of outdoor storage areas.

Signs shall not be obscured or removed.

Signs shall be in English as a primary language or in symbols allowed by this code.

Signs shall be durable. The size, color and lettering shall be in accordance with nationally recognized standards.

8003.1.3 Sources of ignition. Smoking shall be prohibited in rooms where hazardous materials are stored or within 25 feet (7620 mm) of outdoor storage areas.

Open flames and high-temperature devices shall not be used in a manner which creates a hazardous condition. Energy-consuming equipment listed for use with the hazardous material stored is allowed.

8003.1.4 Shelving. Shelving shall be of substantial construction, adequately braced and anchored. For seismic requirements and the seismic zone in which the shelving is located, see the Building Code.

Shelves shall be provided with a lip or guard when used for the storage of individual containers.

EXCEPTION: Shelving in hazardous materials storage cabinets or laboratory furniture specifically designed for such use.

Shelf storage of hazardous materials shall be maintained in an orderly manner.

8003.1.5 Maximum quantity on site. The storage of hazardous materials shall be in accordance with local zoning regulations.

8003.1.6 Storage plan. A storage plan shall be provided for all storage facilities. The plan shall indicate the intended storage arrangement, including the location and dimensions of aisles.

8003.1.7 Spill control, drainage control and secondary containment.

8003.1.7.1 General. Rooms, buildings or areas used for the storage of solid and liquid hazardous materials shall be provided with a means to control spillage and to contain or drain off spillage and fire-protection water discharged in the storage area in accordance with Section 8003.1.7.

EXCEPTIONS:

1. Liquids that are a gas at NTP.
2. Outdoor storage of containers on approved containment pallets in accordance with Section 8003.1.7.5 do not require spill control, drainage control or secondary containment.
3. Storage of flammable solids.

8003.1.7.2 Spill control. Floors shall be sloped; constructed with sumps and collection systems; recessed a minimum of 4 inches (101.6 mm); provided with a liquid-tight raised sill to a minimum height of 4 inches (101.6 mm) to prevent the flow of liquids to adjoining areas; or otherwise constructed to contain a spill from the largest single container or tank. Except for surfacing, the sill shall be constructed of noncombustible material, and the liquid-tight seal shall be compatible with the material stored. When liquid-tight sills are provided, they are not required at door openings which are provided with an open-grate trench that connects to an approved drainage system.

8003.1.7.3 Drainage control.

8003.1.7.3.1 General. Rooms, buildings or areas shall be provided with a drainage system to direct the flow of liquids to an approved location, or the room, building or area shall be designed to provide secondary containment for the hazardous materials and fire-protection water.

8003.1.7.3.2 Slope. A slope to drain not less than 1 percent shall be provided.

8003.1.7.3.3 Capacity for fire-extinguishing water. Drains from the area shall be sized to carry the automatic fire-extinguishing system design flow rate over the system design area.

8003.1.7.3.4 Materials. Materials of construction for the drainage system shall be compatible with the stored materials.

8003.1.7.3.5 Incompatible materials. Incompatible materials shall be separated from each other in drain systems. Incompatible materials are allowed to be combined when they have been rendered acceptable by an approved means for discharge into the public sewer.

8003.1.7.3.6 Termination. Flow from the drainage system shall be directed to an approved location.

Drainage of spillage and fire-protection water is allowed to be directed to a neutralizer or treatment system which complies with the following:

1. The system shall be designed to handle the maximum worst case spill from the single largest container plus the volume of fire-protection water from the system over the minimum design area for a period of 20 minutes, and

2. The system shall be designed to overflow from the neutralizer or treatment system so that liquid leakage and fire-protection water is directed to a safe location away from the building, valves, means of egress, adjoining property and fire department access roadways.

8003.1.7.4 Secondary containment. Drains shall be directed to containment systems or other locations designed as secondary containment for the hazardous materials liquids and fire-protection water, or the building, room or area shall be designed to provide secondary containment of hazardous material liquids and fire-protection water through the use of recessed floors or liquid-tight raised sills.

- EXCEPTIONS:**
1. The provisions of Section 8003.1.7.4 may be waived when the chief has determined that such enforcement is preempted by other codes, statutes or ordinances. See Section 8001.1.3.
 2. Outdoor storage of oxidizers.
 3. Outdoor storage of organic peroxides.
 4. Storage of pyrophoric solids.
 5. Storage of corrosive solids.
 6. Storage of carcinogen, irritant, sensitizer and other health hazard solids.

Secondary containment shall be designed to retain the spill from the largest single container plus the design flow rate of the automatic fire-extinguishing system for the area of the room or area in which the storage is located or the system design area, whichever is smaller. The containment capacity shall be capable of containing the flow for a period of 20 minutes.

Overflow from the secondary containment system shall be provided to direct liquid leakage and fire-protection water to a safe location away from the building, valves, means of egress, fire access roadway, adjoining property or storm drains.

If the storage area is open to rainfall, the secondary containment shall be designed to accommodate the volume of a 24-hour rainfall as determined by a 25-year storm. Where curbs are used, provisions shall be made for draining accumulations of groundwater or rainwater.

A monitoring method capable of detecting hazardous material leakage from the primary containment into the secondary containment shall be provided. Visual inspection of the primary containment shall be used unless other means of monitoring are approved by the chief. Where secondary containment is subject to the intrusion of water, a monitoring method for such water shall be provided. When monitoring devices are provided, they shall be connected to distinct visual or audible alarms.

8003.1.7.5 Containment pallets. When used as a substitute for spill control, drainage control and secondary containment for outdoor storage in accordance with Section 8003.1.7.1, Exception 2, containment pallets shall comply with the following:

1. A liquid-tight sump accessible for visual inspection shall be provided,
2. The sump shall be designed to contain not less than 66 gallons (249.8 L),
3. Exposed surfaces shall be compatible with material stored, and
4. Containment pallets shall be protected to prevent collection of rainwater within the sump.

8003.1.8 Ventilation.

8003.1.8.1 General. Indoor storage areas and storage buildings shall be provided with mechanical exhaust ventilation or natural ventilation where natural ventilation can be shown to be acceptable for the materials as stored.

EXCEPTION: Storage areas for flammable solids. See also Article 76.

8003.1.8.2 System requirements. Exhaust ventilation systems shall comply with all of the following:

1. Installation shall be in accordance with the Mechanical Code,
2. Mechanical ventilation shall be at a rate of not less than 1 cubic foot per minute per square foot (5.1 l/s per m²) of floor area over the storage area,
3. Systems shall operate continuously unless alternate designs are approved by the chief,
4. A manual shutoff control shall be provided outside of the room in a position adjacent to the access door to the room or in a location approved by the chief. The switch shall be of the break-glass type and shall be labeled VENTILATION SYSTEM EMERGENCY SHUTOFF,
5. Exhaust ventilation shall be arranged to consider the density of the potential fumes or vapors released. For fumes

or vapors that are heavier than air, exhaust shall be taken from a point within 12 inches (304.8 mm) of the floor,

6. The location of both the exhaust and inlet air openings shall be arranged to provide air movement across all portions of the floor or room to prevent the accumulation of vapors, and

7. Exhaust ventilation shall not be recirculated within the room or building if the materials stored are capable of emitting hazardous vapors.

8003.1.9 Separation of incompatible hazardous materials. See Section 8001.9.8.

8003.1.10 Hazardous materials storage cabinets.

8003.1.10.1 General. When storage cabinets are used to comply with Article 80, such cabinets shall be in accordance with Section 8003.1.10.

EXCEPTION: Compressed gases shall be stored in cabinets or exhausted enclosures designed in accordance with Section 8003.3.1.3.2 or 8003.3.1.3.3.

Cabinets shall be conspicuously labeled in red letters on contrasting background **HAZARDOUS—KEEP FIRE AWAY.**

8003.1.10.2 Construction. Cabinets shall be constructed of metal. The interior of cabinets shall be treated, coated or constructed of materials that are nonreactive with the hazardous material stored. Such treatment, coating or construction shall include the entire interior of the cabinet. Cabinets shall either be listed as suitable for the intended storage or constructed in accordance with the following:

1. Cabinets shall be of steel having a thickness of not less than 0.044 inch (1.12 mm) (18 gage). The cabinet, including the door, shall be double walled with 1½-inch (38.1 mm) airspace between the walls. Joints shall be riveted or welded and shall be tightfitting. Doors shall be well fitted, self-closing and equipped with a self-latching device, and

2. The bottoms of cabinets utilized for the storage of liquids shall be liquid tight to a minimum height of 2 inches (50.8 mm).

For requirements regarding electrical equipment and devices within cabinets used for the storage of hazardous gases or liquids, see the Electrical Code.

8003.1.11 Fire-extinguishing systems. Indoor storage areas and storage buildings shall be protected by an automatic sprinkler system. The design of the sprinkler system shall not be less than that required by the Building Code for Ordinary Hazard Group 2 with a minimum design area of 3,000 square feet (278.7 m²). See U.B.C. Standard 9-1. Where the materials or storage arrangement requires a higher level of sprinkler system protection in accordance with nationally recognized standards, the higher level of sprinkler system protection shall be provided.

EXCEPTION: Approved alternate automatic fire-extinguishing systems are allowed.

8003.1.12 Explosion control. Indoor storage rooms, areas and buildings containing the following materials shall be

provided with explosion control in accordance with the Building Code:

1. Highly toxic flammable or toxic flammable gases when not stored in gas cabinets, exhausted enclosures or gas rooms (see Section 8003.1.3).

2. Combustible dusts. See Article 76.

3. Class 4 oxidizers.

4. Unclassified detonatable and Class I organic peroxides.

5. Pyrophoric gases.

6. Class 3 and 4 unstable (reactive) materials.

7. Class 2 and 3 water-reactive solids and liquids.

8003.1.13 Standby power. When mechanical ventilation, treatment systems, temperature control, alarm, detection or other electrically operated systems are required, such systems shall be connected to a secondary source of power to automatically supply electrical power in the event of loss of power from the primary source. See the Electrical Code.

EXCEPTIONS: Storage areas for:

1. Class 1 and 2 oxidizers.

2. Class III, IV and V organic peroxides.

8003.1.14 Limit controls.

8003.1.14.1 General. Limit controls shall be provided in accordance with Section 8003.1.14.

8003.1.14.2 Liquid-level limit control. Atmospheric tanks with a capacity exceeding 500 gallons (1893 L) used for the storage of hazardous materials liquids shall be equipped with a liquid-level limit control to prevent overfilling of the tank.

EXCEPTIONS: 1. Tanks monitored by a system which will limit net contents by weight.

2. Atmospheric tanks used for storage of Class II, III, IV and V organic peroxides.

8003.1.14.3 Temperature control. Materials which must be stored at temperatures other than normal ambient temperatures to prevent a hazardous reaction shall be stored in an area provided with a means to maintain the temperature within a safe range. Redundant temperature control equipment which will operate upon failure of the primary temperature control system shall be provided. Alternate means which prevent a hazardous reaction are allowed.

8003.1.14.4 Pressure control. Stationary tanks used for the storage of hazardous materials liquids which can generate pressures exceeding the tank design limits due to exposure fires or internal reaction shall have some form of construction or device that will relieve excessive internal pressure. Such relief devices shall vent to an approved location or to an exhaust scrubber or treatment system when specified in Sections 8003.2 through 8003.15.

8003.1.15 Emergency alarm. An approved emergency alarm system shall be provided in buildings, rooms or areas used for storage of hazardous materials. Emergency alarm-initiating devices shall be installed outside of each interior exit door of storage buildings, rooms or areas. Activation of an emergency alarm-initiating device shall sound a local alarm to alert occupants of an emergency situation involving hazardous materials.

8003.1.16 Supervision. Emergency alarm, detection and automatic fire-extinguishing systems required by Section 8003 shall be supervised by an approved central, proprietary or remote station service or shall initiate an audible and visual signal at a constantly attended on-site location.

8003.1.17 Clearance from combustibles. The area surrounding an outdoor storage area or tank shall be kept clear of combustible materials and vegetation for a minimum distance of 30 feet (9144 mm).

8003.1.18 Noncombustible floor. Except for surfacing, floors of storage areas shall be of noncombustible construction.

8003.1.19 Professional engineer. The chief is authorized to require design submittals to bear the stamp of a professional engineer.

8003.1.20 Weather protection. When overhead noncombustible construction is provided for sheltering outdoor hazardous material storage areas, such storage shall not be considered indoor storage when all of the following conditions are met:

EXCEPTIONS: Storage of explosive, detonatable or pyrophoric materials shall be considered as indoor storage.

1. Supports shall be of noncombustible construction,
2. Supports and walls shall not obstruct more than 25 percent of the perimeter of the storage area, and
3. The distance to buildings, property lines, streets, alleys, public ways or exits to a public way shall not be less than the distance required for an outdoor hazardous material storage area without weather protection.

8003.1.21 Required detached storage. Group H Occupancies containing quantities of hazardous materials in excess of those set forth in Table 8003.1-A shall be in buildings used for no other purpose, shall not exceed one story in height and shall be without basements, crawl spaces or other under-floor spaces.

8003.2 Explosives and Blasting Agents. Storage of explosives and blasting agents shall be in accordance with Article 77. Storage of fireworks shall be in accordance with Article 78.

Storage of explosives, blasting agents, blackpowder and fireworks shall be in detached buildings in accordance with Section 8003.1.21 when required by Section 8003.1.21.

8003.3 Toxic and Highly Toxic Compressed Gases.

8003.3.1 Indoor storage.

8003.3.1.1 General. Indoor storage of toxic and highly toxic compressed gases in amounts exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1, 8003.3.1 and 8003.3.3.

8003.3.1.2 Fire-extinguishing system. In addition to Section 8003.1.11, the following requirements shall apply:

1. Gas cabinets, exhausted enclosures and gas rooms for the storage of cylinders shall be internally sprinklered, and
2. Alternate fire-extinguishing systems shall not be used for storage areas, gas cabinets, exhausted enclosures or gas rooms.

8003.3.1.3 Ventilation and storage arrangement.

8003.3.1.3.1 Ventilated area. Cylinders shall be stored within gas cabinets, exhausted enclosures or gas rooms.

EXCEPTION: Toxic gas cylinders having an aggregate capacity not exceeding the exempt amounts set forth in Table 8001.13-B when Footnote 6 is not applied.

Portable and stationary tanks shall be stored within gas rooms or exhausted enclosures. The room or area in which gas cabinets or exhausted enclosures are located shall be provided with exhaust ventilation that is independent of the ventilation required for gas cabinets and exhausted enclosures.

8003.3.1.3.2 Gas cabinets. Gas cabinets shall comply with all of the following:

1. Operate at negative pressure in relation to the surrounding area,
2. Be provided with self-closing limited access ports or noncombustible windows to give access to equipment controls. The average velocity at the face of access ports or windows shall not be less than 200 feet per minute (1.02 m/s) with a minimum of 150 feet per minute (0.76 m/s) at any point of the access port or window,
3. Be connected to an exhaust system,
4. Be provided with self-closing doors, and
5. Be constructed of not less than 0.097-inch (2.46 mm) (12 gage) steel.

8003.3.1.3.3 Exhausted enclosures. Exhausted enclosures shall be designed to:

1. Operate at a negative pressure in relation to the surrounding area, and
2. Provide an average velocity at the face of the enclosure of not less than 200 feet per minute (1.02 m/s) with a minimum of 150 feet per minute (0.76 m/s) at any point.

8003.3.1.3.4 Gas rooms. Gas rooms shall be designed to:

1. Operate at a negative pressure in relation to the surrounding area, and
2. Direct the exhaust ventilation to an exhaust system.

8003.3.1.3.5 Treatment systems.

8003.3.1.3.5.1 General. Treatment systems shall be utilized to handle the accidental release of gas. Treatment systems shall be utilized to process all exhaust ventilation to be discharged from gas cabinets, exhausted enclosures and gas rooms.

8003.3.1.3.5.2 Design. Treatment systems shall be capable of diluting, adsorbing, absorbing, containing, neutralizing, burning or otherwise processing the entire contents of the largest single tank or cylinder of gas stored or used. When a total containment system is utilized, the system shall be designed to handle the maximum anticipated pressure of release to the system when it reaches equilibrium.

8003.3.1.3.5.3 Performance. Treatment systems shall be designed to reduce the maximum allowable discharge

concentration of the gas to one-half IDLH at the point of discharge to the atmosphere. When more than one gas is emitted to the treatment system, the treatment system shall be designed to handle the worst-case release based on the release rate, the quantity and the IDLH for all the gases stored or used.

8003.3.1.3.5.4 Sizing. Treatment systems shall be sized to process the maximum worst-case release of gas based on the maximum flow rate of release from the largest cylinder or tank utilized. The entire contents of tanks and cylinders shall be considered.

8003.3.1.3.5.5 Stationary tanks. Stationary tanks shall be labeled with the maximum rate of release for the gas contained based on valves or fittings that are inserted directly into the tank. If multiple valves or fittings are provided, the maximum flow rate of release for the valve or fitting with the highest flow rate shall be indicated. If liquefied gases are in contact with valves or fittings, the liquid flow rate shall be utilized for purposes of computation. Flow rates indicated on the label shall be converted to cubic feet per minute (L/s) of gas at normal temperature and pressure.

8003.3.1.3.5.6 Portable tanks and cylinders. For portable tanks and cylinders, the maximum flow rate of release shall be calculated based on assuming the total release from the cylinder or tank within the time specified in Table 8003.3-A. When portable tanks or cylinders are equipped with approved excess flow or reduced flow valves, the worst-case release shall be determined by the maximum achievable flow from the valve as determined by the valve manufacturer or the gas supplier. Reduced flow and excess flow valves shall be permanently marked by the manufacturer to indicate the maximum design flow rate. Such markings shall indicate the flow rate for air under standard conditions.

8003.3.1.4 Emergency power. Emergency power shall be provided in lieu of standby power for:

1. Exhaust ventilation, including the power supply for treatment systems,
2. Gas-detection systems,
3. Emergency alarm systems, and
4. Temperature-control systems.

8003.3.1.5 Limit controls. In addition to the limit controls required by Section 8003.1.14, excess flow control shall be provided for stationary tanks which are piped for filling or dispensing.

8003.3.1.6 Gas detection. A continuous gas-detection system shall be provided to detect the presence of gas at or below the permissible exposure limit or ceiling limit. The detection system shall initiate a local alarm and transmit a signal to a constantly attended control station.

The alarm shall be both visual and audible and shall be designed to provide warning both inside and outside of the storage area. The audible alarm shall be distinct from all other alarms.

EXCEPTIONS: 1. Signal transmission to a constantly attended control station need not be provided when not more than one cylinder is stored.

2. A continuous gas-detection system need not be provided for toxic gases when the physiological warning properties for the gas are at a level below the accepted permissible exposure limit for the gas.

The gas-detection system shall be capable of monitoring the room or area in which the gas is stored at or below the permissible exposure limit or ceiling limit and the discharge from the treatment system at or below one-half the IDLH limit.

8003.3.1.7 Smoke detection. An approved supervised smoke-detection system shall be provided in rooms or areas where highly toxic compressed gases are stored indoors. Activation of the detection systems shall sound a local alarm.

8003.3.1.8 Maximum number of cylinders per gas cabinet. The number of cylinders contained in a single gas cabinet shall not exceed three.

EXCEPTION: Cabinets containing cylinders not exceeding 1 pound (0.4536 kg) net contents each shall be limited to a maximum of 100 cylinders.

8003.3.2 Outdoor storage.

8003.3.2.1 General. Outdoor storage of highly toxic or toxic compressed gases in amounts exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1, 8003.3.2 and 8003.3.3.

8003.3.2.2 Distance from storage to exposures.

8003.3.2.2.1 General. Outdoor storage of highly toxic or toxic compressed gases shall comply with the Building Code and Section 8003.3.2.2.

8003.3.2.2.2 Distance limitation to exposures. Outdoor storage of highly toxic or toxic compressed gases shall not be within 75 feet (22 860 mm) of a building, property line, street, alley, public way or exit to a public way unless the storage is shielded by a structure having a minimum fire-resistive rating of two hours and which interrupts the line of sight between the storage and the exposure. The protective structure shall be at least 5 feet (1524 mm) from exposures. The protective structure shall not have more than two sides at approximately 90-degree directions, or three sides with connecting angles of approximately 135 degrees.

EXCEPTION: Gases in gas cabinets complying with Section 8003.3.1.3.2 and located 5 feet (1524 mm) or more from buildings and 25 feet (7620 mm) from exits. Section 8003.3.2.2.3 shall not apply.

8003.3.2.2.3 Openings in exposed buildings. When the storage area is located closer than 75 feet (22 860 mm) to a building, openings into a building other than piping shall not be above the height of the top of the shielding structure or within 50 feet (15 240 mm) horizontally from the storage area whether or not shielded by a protective structure.

8003.3.2.2.4 Air intakes. The storage area shall not be within 75 feet (22 860 mm) of air intakes.

8003.3.2.3 Canopies. Portable tanks and cylinders stored outside of buildings shall be stored under a canopy of noncombustible construction. Such storage shall not be considered indoor storage. See also Section 8003.1.20.

EXCEPTION: Portable tanks and cylinders used for storing anhydrous ammonia (fertilizer grade).

An automatic fire-sprinkler system shall be provided for canopies used for storage of highly toxic or toxic compressed gases.

EXCEPTION: Where water is incompatible with the hazardous material stored, the chief may approve alternate fire suppression methods to an automatic fire-sprinkler system.

8003.3.2.4 Piping and controls. In addition to the requirements of Section 8001.4.3, piping and controls on stationary tanks shall be in accordance with all of the following:

1. Pressure-relief devices shall be vented to a treatment system designed in accordance with Section 8003.3.1.3.5,
2. Where filling or dispensing connections are provided, they shall have a means of local exhaust. Such exhaust shall be designed to capture fumes and vapors. The exhaust shall be directed to a treatment system designed in accordance with Section 8003.3.1.3.5, and
3. Stationary tanks shall be provided with a means of excess flow control on tank inlet and outlet connections.

EXCEPTIONS:

1. Inlet connections that are designed to preclude backflow.
2. Pressure-relief devices.

8003.3.3 Special provisions.

8003.3.3.1 Seismic protection. Stationary tanks and associated piping systems shall be seismically braced in accordance with the Building Code.

8003.3.3.2 Security. See Section 8001.9.2.

8003.3.3.3 Leaking cylinders. One or more gas cabinets or exhausted enclosures shall be provided to handle leaking cylinders.

EXCEPTIONS: A cabinet or exhausted enclosure need not be provided for leaking cylinders if:

1. All cylinders are stored within gas cabinets or exhausted enclosures, or
2. Approved containment vessels are provided in accordance with all of the following:
 - 2.1 Containment vessels shall be capable of fully containing a release,
 - 2.2 Trained personnel shall be available at an approved location, and
 - 2.3 Containment vessels shall be capable of being transported to the leaking cylinder.

Gas cabinets or exhausted enclosures shall be located as follows:

1. Within or adjacent to outdoor storage areas, or
2. Within gas rooms.

Gas cabinets or exhausted enclosures shall be connected to an exhaust system. See Section 8003.3.1.3.5.

8003.3.3.4 Local exhaust for leaking portable tanks. A means of local exhaust shall be provided to capture leaks from portable tanks. Portable ducts or collection systems designed to be applied to the site of a leak in a valve or fitting on the tank are acceptable. The local exhaust system shall be connected to a treatment system as specified in Section 8003.3.1.3.5. The local exhaust system shall be provided:

1. Within or immediately adjacent to outdoor storage areas, or

2. Within gas rooms used for portable or stationary tanks.

8003.4 Flammable and Combustible Liquids. Storage of flammable and combustible liquids shall be in accordance with Article 79.

8003.5 Flammable Solids and Flammable Gases.

8003.5.1 Indoor storage.

8003.5.1.1 General. Indoor storage of flammable solids and flammable gases in amounts exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.5.1. Storage of combustible fibers shall be in accordance with Article 28. See also Section 8001.14.2 for storage of flammable gases in quantities not exceeding exempt amounts.

8003.5.1.2 Pile size limits and location for solids. Flammable solids stored in quantities greater than 1,000 cubic feet (28.3 m³) shall be separated into piles each not larger than 1,000 cubic feet (28.3 m³). Aisle widths between piles shall not be less than the height of the piles or 4 feet (1219 mm), whichever is greater.

Flammable solids shall not be stored in basements.

8003.5.1.3 Static-producing equipment. Static-producing equipment located in flammable gas storage areas shall be grounded.

8003.5.2 Outdoor storage.

8003.5.2.1 General. Outdoor storage of flammable solids and flammable gases in amounts exceeding exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.5.2. Storage of combustible fibers shall be in accordance with Article 28.

8003.5.2.2 Distance from storage to exposures. Outdoor storage of flammable solids shall not be located within 20 feet (6096 mm) of any building, property line, street, alley, public way, or exit to a public way. An unpierced two-hour fire-resistive wall extending not less than 30 inches (762 mm) above and to the sides of the storage area is allowed in lieu of such distance.

Outdoor storage of flammable gases shall be in accordance with Table 8003.5-A.

8003.5.2.3 Pile size limits for solids. Outdoor storage of flammable solids shall be separated into piles not larger than 5,000 cubic feet (141 m³) each. Aisle widths between piles shall not be less than one-half the height of the piles or 10 feet (3048 mm), whichever is greater.

8003.5.2.4 Static-producing equipment. Static-producing equipment in flammable gas storage areas shall be grounded.

8003.6 Oxidizers.

8003.6.1 Indoor storage.

8003.6.1.1 General. Indoor storage of oxidizers in amounts exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.6.1. Retail display of oxidizers shall be in accordance with Section 8001.12.

See also Section 8001.14.3 for storage of oxidizing gases in quantities not exceeding exempt amounts.

8003.6.1.2 Detached storage. Storage of liquid and solid oxidizers shall be in detached buildings in accordance with Section 8003.1.21 when required by Section 8003.1.21.

8003.6.1.3 Distance from detached storage buildings to exposures. In addition to the requirements of the Building Code, detached storage buildings shall be located in accordance with Tables 8003.6-A and 8003.6-B.

8003.6.1.4 Liquid-tight floor. In addition to Section 8003.1.18, floors of storage areas for liquid and solid oxidizers shall be of liquid-tight construction.

8003.6.1.5 Smoke and heat venting. Smoke and heat venting shall be provided. The design criteria shall be as set forth in the Building Code.

8003.6.1.6 Smoke detection. An approved supervised smoke-detection system shall be installed in liquid and solid oxidizer storage areas. Activation of the detection systems shall sound a local alarm.

EXCEPTION: A smoke-detection system need not be provided in detached storage buildings protected by an automatic fire-extinguishing system.

8003.6.1.7 Storage conditions. The maximum quantities per building in detached storage buildings shall not exceed those set forth in Tables 8003.6-C through 8003.6-F.

The storage arrangement for liquid and solid oxidizers shall be as set forth in Tables 8003.6-C through 8003.6-F.

Class 2 oxidizers shall not be stored in basements except when such storage is in stationary tanks. Class 3 and 4 oxidizers in excess of the exempt amounts set forth in Section 8001.13 shall be stored on the ground floor only.

8003.6.1.8 Separation of Class 4 oxidizers from other materials. In addition to Section 8001.9.8, Class 4 oxidizer liquids and solids shall be separated from other hazardous materials by not less than one-hour fire-resistive construction or stored in hazardous materials storage cabinets. See Section 8003.1.10.

Detached storage buildings for Class 4 oxidizer liquids and solids shall be located a minimum of 50 feet (15 240 mm) from other hazardous materials storage.

8003.6.1.9 Contamination. Liquid and solid oxidizers shall not be stored on or against combustible surfaces. During storage, care shall be taken to prevent contamination.

8003.6.1.10 Static-producing equipment. Static-producing equipment in oxidizer gas storage areas shall be grounded.

8003.6.2 Outdoor storage.

8003.6.2.1 General. Outdoor storage of oxidizers in amounts exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Section 8003.1 and 8003.6.2.

8003.6.2.2 Distance from storage to exposures.

8003.6.2.2.1 Solids and liquids. Storage areas for liquid and solid oxidizers shall be located in accordance with Tables 8003.6-A and 8003.6-B.

8003.6.2.2.2 Gases. Storage areas for oxidizer gases shall be in accordance with Table 8003.6-G.

8003.6.2.3 Storage conditions.

8003.6.2.3.1 Solids and liquids. Storage arrangements for liquid and solid oxidizers shall be in accordance with Tables 8003.6-C through 8003.6-F.

8003.6.2.3.2 Gases. Storage arrangement for oxidizer gases shall be in accordance with Table 8003.6-G.

8003.7 Organic Peroxides.

8003.7.1 Indoor storage.

8003.7.1.1 General. Indoor storage of organic peroxides in amounts exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.7.1.

Unclassified detonatable organic peroxides that are capable of detonation in their normal shipping containers under conditions of fire exposure shall be stored in accordance with Article 77 as required for high explosives.

8003.7.1.2 Detached storage. Storage of organic peroxides shall be in detached buildings in accordance with Section 8003.1.21 when required by Section 8003.1.21.

8003.7.1.3 Distance from detached storage buildings to exposures. In addition to the requirements of the Building Code, detached storage buildings shall be located in accordance with Tables 8003.7-A and 8003.7-B.

8003.7.1.4 Liquid-tight floor. In addition to Section 8003.1.18, floors of storage areas shall be of liquid-tight construction.

8003.7.1.5 Smoke and heat venting. Smoke and heat venting shall be provided. The design criteria shall be as set forth in the Building Code.

8003.7.1.6 Electrical wiring and equipment. In addition to Section 8001.9.4, electrical wiring and equipment in storage areas for Class I or II organic peroxides shall comply with the requirements for electrical Class I, Division 2 locations.

8003.7.1.7 Smoke detection. An approved supervised smoke-detection system shall be provided in rooms or areas where Class I, II, III or IV organic peroxides are stored. Activation of the detection system shall sound a local alarm.

EXCEPTION: A smoke-detection system need not be provided in detached storage buildings protected by an automatic fire-extinguishing system.

8003.7.1.8 Storage conditions.

8003.7.1.8.1 Maximum quantities. Maximum quantity per building in a mixed-occupancy building shall not exceed the amounts set forth in Table 8003.1-A. Maximum quantity per building in a detached storage building shall not exceed the amounts specified in Tables 8003.7-A and 8003.7-B.

8003.7.1.8.2 Storage arrangement. Storage arrangement for organic peroxides shall be in accordance with Tables 8003.7-C through 8003.7-E and shall comply with all of the following:

1. Containers and packages in storage areas shall be closed,
2. Bulk storage shall not be in piles or bins,
3. A minimum 2-foot (609.6 mm) clear space shall be maintained between storage and uninsulated metal walls, and
4. Fifty-five-gallon (208.2 L) drums shall not be stored more than one drum high.

8003.7.1.8.3 Location in building. The storage of Class I and II organic peroxides shall be on the ground floor. Class III organic peroxides shall not be stored in basements.

8003.7.1.9 Contamination. Organic peroxides shall be stored in their original DOT shipping containers. During storage, care shall be taken to prevent contamination.

8003.7.2 Outdoor storage.

8003.7.2.1 General. Outdoor storage of organic peroxides in amounts exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.7.2.

EXCEPTION: Unclassified detonatable organic peroxides that are capable of detonation in their normal shipping containers under fire conditions shall be stored in accordance with Article 77 as required for high explosives.

8003.7.2.2 Distance from storage to exposures. Storage areas for organic peroxides shall be located in accordance with Tables 8003.7-A and 8003.7-B.

8003.7.2.3 Electrical wiring and equipment. In addition to Section 8001.9.4, electrical wiring and equipment in outdoor storage areas containing Class I, II or III organic peroxides shall comply with the requirements for electrical Class I, Division 2 locations.

8003.7.2.4 Storage conditions.

8003.7.2.4.1 Maximum quantities. Maximum quantities of organic peroxides shall be in accordance with Tables 8003.7-A and 8003.7-B.

8003.7.2.4.2 Storage arrangement. Storage arrangement shall be in accordance with Tables 8003.7-C, 8003.7-D and 8003.7-E.

8003.7.2.5 Separation. In addition to Section 8001.9.8, storage areas for organic peroxides exceeding the amounts specified in Table 8003.1-A shall be located a minimum distance of 50 feet (15 240 mm) from other hazardous material storage.

8003.8 Pyrophoric Materials.

8003.8.1 Indoor storage.

8003.8.1.1 General. Indoor storage of pyrophoric solids, liquids and gases in amounts exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.8.1. See also Section 8001.14.4.

Indoor storage of silane and mixtures of silane greater than 2 percent by volume shall be in accordance with U.F.C. Standard 80-1.

8003.8.1.2 Liquid-tight floor. In addition to Section 8003.1.18, floors of storage areas containing pyrophoric liquids shall be of liquid-tight construction.

8003.8.1.3 Electrical wiring and equipment. In addition to Section 8001.9.4, electrical wiring and equipment in storage areas for pyrophoric gases shall comply with the requirements for electrical Class I, Division 2 locations.

8003.8.1.4 Storage conditions.

8003.8.1.4.1 Pyrophoric solids and liquids. Storage of pyrophoric liquids and solids shall be limited to a maximum area of 100 square feet (9.29 m²) per pile. Storage shall not exceed 5 feet (1524 mm) in height. Individual containers shall not be stacked.

Aisles between storage piles shall be a minimum of 10 feet (3048 mm) in width.

Individual tanks or containers shall not exceed 500 gallons (1893 L) capacity.

8003.8.1.4.2 Pyrophoric gases. Storage of pyrophoric gases shall be in detached buildings in accordance with Section 8003.1.21 when required by Section 8003.1.21.

8003.8.1.5 Separation. In addition to Section 8001.9.8, indoor storage of pyrophoric solids, liquids and gases shall be isolated from incompatible hazardous materials by one-hour fire-resistive walls with openings protected in accordance with the Building Code.

EXCEPTION: Storage in approved hazardous materials storage cabinets constructed in accordance with Section 8003.1.10.

8003.8.2 Outdoor storage.

8003.8.2.1 General. Outdoor storage of pyrophoric solids, liquids and gases in quantities exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.8.2.

Outdoor storage of silane and mixtures of silane greater than 2 percent by volume shall be in accordance with U.F.C. Standard 80-1.

8003.8.2.2 Distance from storage to exposures. The separation of pyrophoric solids, liquids and gases from buildings, property lines, streets, alleys, public ways or exits to a public way shall be in accordance with the following:

1. **Solids and liquids.** Twice the separation required by Article 79 for Class I-B flammable liquids.

2. **Gases.** The location and maximum amount of pyrophoric gas per storage area shall be in accordance with Table 8003.8-A.

8003.8.2.3 Storage conditions. Quantities, arrangement and spacing for pyrophoric liquids and solids in tanks, portable tanks and containers shall be in accordance with Article 79 as required for Class I-B flammable liquids.

8003.8.2.4 Separation of incompatible materials. In addition to Section 8001.9.8, separation of pyrophoric liquids and solids from other hazardous materials shall be in accordance with Article 79 as required for Class I-B flammable liquids.

8003.9 Unstable (Reactive) Materials.

8003.9.1 Indoor storage.

8003.9.1.1 General. Indoor storage of unstable (reactive) materials in amounts exceeding the exempt amounts set forth

in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.9.1.

In addition, Class 3 and 4 unstable (reactive) detonatable materials shall be stored in accordance with the Building Code requirements for explosives.

Retail display of unstable (reactive) materials shall be in accordance with Section 8001.12.

8003.9.1.2 Detached storage. Storage of unstable (reactive) materials shall be in detached buildings in accordance with Section 8003.1.21 when required by Section 8003.1.21.

8003.9.1.3 Liquid-tight floor. In addition to Section 8003.1.18, floors of storage areas for liquids and solids shall be of liquid-tight construction.

8003.9.1.4 Smoke and heat venting. Smoke and heat venting shall be provided. The design criteria shall be as set forth in the Building Code.

8003.9.1.5 Storage conditions. Unstable (reactive) materials stored in quantities greater than 500 cubic feet (14.16 m³) shall be separated into piles, each not larger than 500 cubic feet (14.16 m³). Aisle width shall not be less than the height of the piles or 4 feet (1219 mm), whichever is greater.

EXCEPTION: Materials stored in tanks.

Unstable (reactive) materials shall not be stored in basements.

8003.9.2 Outdoor storage.

8003.9.2.1 General. Outdoor storage of unstable (reactive) materials in quantities exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.9.2.

8003.9.2.2 Distance from storage to exposures. Outdoor storage of unstable (reactive) material which can deflagrate shall not be within 75 feet (22 860 mm) of buildings, property lines, streets, alleys, public ways or exits to a public way.

Outdoor storage of nondeflagrating unstable (reactive) materials shall not be within 20 feet (6096 mm) of buildings, property lines, streets, alleys, public ways or exits to a public way. An unpierced two-hour fire-resistive wall extending not less than 30 inches (762 mm) above and to the sides of the storage is allowed in lieu of such distance.

8003.9.2.3 Storage conditions. Piles of unstable (reactive) materials shall not exceed 1,000 cubic feet (28.3 m³).

Aisle widths between piles shall not be less than one-half the height of the pile or 10 feet (3048 mm), whichever is greater.

8003.10 Water-reactive Solids and Liquids.

8003.10.1 Indoor storage.

8003.10.1.1 General. Indoor storage of water-reactive solids and liquids in amounts exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.10.1.

Retail display of water-reactive solids and liquids shall be in accordance with Section 8001.12.

8003.10.1.2 Detached storage. Storage of water-reactive materials shall be in detached buildings in accordance with Section 8003.1.21 when required by Section 8003.1.21.

8003.10.1.3 Liquid-tight floor. In addition to Section 8003.1.18, floors of storage areas shall be of liquid-tight construction.

8003.10.1.4 Waterproof room. Rooms or areas used for the storage of water-reactive solids or liquids shall be constructed in a manner which resists the penetration of water through the use of waterproof materials. Piping carrying water for other than approved automatic fire-sprinkler systems shall not be within such rooms or areas.

8003.10.1.5 Smoke and heat venting. Smoke and heat venting shall be provided. The design criteria shall be as set forth in the Building Code.

8003.10.1.6 Fire-extinguishing systems. When Class 3 solids or liquids are stored in areas protected by an automatic fire-sprinkler system, the materials shall be stored in closed watertight containers.

8003.10.1.7 Storage conditions. Water-reactive solids and liquids stored in quantities greater than 500 cubic feet (14.16 m³) shall be separated into piles, each not larger than 500 cubic feet (14.16 m³). Aisle widths between piles shall not be less than the height of the pile or 4 feet (1219 mm), whichever is greater.

EXCEPTION: Water-reactive solids and liquids stored in tanks.

Class 2 water-reactive solids and liquids shall not be stored in basements unless such materials are stored in closed watertight containers or tanks.

Class 3 water-reactive solids and liquids shall not be stored in basements.

For storage with flammable liquids, see Section 7902.5.4.

8003.10.2 Outdoor storage.

8003.10.2.1 General. Outdoor storage of water-reactive solids and liquids shall be within tanks or closed watertight containers, and in quantities exceeding the exempt amounts set forth in Section 8001.13, shall be in accordance with Sections 8003.1 and 8003.10.2.

8003.10.2.2 Distance from storage to exposures. Outdoor storage of Class 3 water-reactive solids and liquids shall not be within 75 feet (22 860 mm) of buildings, property lines, streets, alleys, public ways or exits to a public way.

Outdoor storage of Class 1 and 2 water-reactive solids and liquids shall not be within 20 feet (6096 mm) of buildings, property lines, streets, alleys, public ways or exits to a public way. An unpierced two-hour fire-resistive wall extending not less than 30 inches (762 mm) above and to the sides of the storage area is allowed in lieu of such distance.

8003.10.2.3 Storage conditions. Class 3 water-reactive solids and liquids shall be limited to piles not greater than 100 cubic feet (2.83 m³).

Class 1 or 2 water-reactive solids and liquids shall be limited to piles not greater than 1,000 cubic feet (28.3 m³).

Aisle widths between piles shall not be less than one-half the height of the pile or 10 feet (3048 mm), whichever is greater.

8003.11 Cryogenic Fluids. Storage of cryogenic fluids shall be in accordance with Article 75.

Cryogenic fluids in individual cylinders, containers or tanks which exceed a water capacity of 1,000 pounds (453.6 kg) shall not be stored inside of buildings.

8003.12 Highly Toxic and Toxic Solids and Liquids.

8003.12.1 Indoor storage.

8003.12.1.1 General. Indoor storage of highly toxic and toxic solids and liquids in amounts exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.12.1.

Retail display of highly toxic or toxic materials shall be in accordance with Section 8001.12.

8003.12.1.2 Liquid-tight floors. In addition to Section 8003.1.18, floors of storage rooms shall be of liquid-tight construction.

8003.12.1.3 Exhaust scrubber. Exhaust scrubbers or other systems for the processing of highly toxic liquid vapors shall be provided for storage areas where a spill or other accidental release of such liquids can be expected to release highly toxic vapors. Exhaust scrubbers and other processing systems shall be installed in accordance with the Mechanical Code. Emission control shall conform to the requirements of the local air quality authority.

8003.12.1.4 Separation. In addition to Section 8001.9.8, storage of highly toxic liquids and solids shall be isolated from other hazardous materials by one-hour fire-resistive construction or stored in approved hazardous material storage cabinets. See Section 8003.1.10.

8003.12.2 Outdoor storage.

8003.12.2.1 General. Outdoor storage of highly toxic and toxic solids and liquids in quantities exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.12.2.

8003.12.2.2 Distance from storage to exposures. Outdoor storage of highly toxic or toxic solids and liquids shall not be within 20 feet (6096 mm) of buildings, property lines, streets, alleys, public ways or exits to a public way. An unpierced two-hour fire-resistive wall extending not less than 30 inches (762 mm) above and to the sides of the storage area is allowed in lieu of such distance.

8003.12.2.3 Fire-extinguishing systems. Outdoor storage of highly toxic solids and liquids shall be in fire-resistive containers or shall comply with one of the following:

1. The storage area shall be protected by an automatic, open head, deluge fire-sprinkler system of the type and density specified in the Building Code (see U.B.C. Standard 9-1), or

2. Storage shall be located under a canopy of noncombustible construction, with the canopied area protected by an automatic fire-sprinkler system of the type and density specified in the Building Code. See U.B.C. Standard 9-1.

Such storage shall not be considered indoor storage. See Section 8003.1.20.

8003.12.2.4 Storage conditions. Outdoor storage piles of highly toxic solids and liquids shall be separated into piles, each not larger than 2,500 cubic feet (70.79 m³). Aisle widths between piles shall not be less than one-half the height of the pile or 10 feet (3048 mm), whichever is greater.

The storage of highly toxic liquids which liberate highly toxic vapors in the event of a spill or other accidental discharge shall not be outside of a building unless effective collection and treatment systems are provided. The treatment system shall comply with the Mechanical Code.

8003.13 Radioactive Materials.

8003.13.1 Indoor storage.

8003.13.1.1 General. Indoor storage of radioactive materials in amounts exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.13.1.

8003.13.1.2 Liquid-tight floor. In addition to Section 8003.1.18, floors of storage areas shall be of liquid-tight construction.

8003.13.1.3 Detection. Areas used for the storage of radioactive materials shall be provided with detection equipment suitable for determining surface level contamination at levels that would present a short-term hazard condition. Such detection equipment is allowed to be maintained at a location other than the storage area but shall be on the premises.

8003.13.1.4 Storage conditions. The maximum quantity and storage arrangement of radioactive materials to be stored in buildings or rooms designed for such purposes shall be in accordance with the requirements of the Nuclear Regulatory Commission and state and local requirements.

Storage of contaminated combustible materials shall be in tightly closed noncombustible containers which do not contain other waste. Special attention shall be given to prompt disposal of combustible wastes contaminated with oxidizing materials that are subject to spontaneous heating.

8003.13.1.5 Container quantity limits. The quantity of material in any individual container shall not exceed 2 millicuries (7.4 x 10⁷ becquerels) for alpha emitters, 200 curies (7.4 x 10¹² becquerels) for beta emitters or 0.1 curies (3.7 x 10⁹ becquerels) for gamma emitters.

EXCEPTION: Licensed, sealed sources for instruments, calibration devices and equipment. Licensing requirements and determination of whether a source is sealed or nonsealed shall be as set forth in Nuclear Regulatory Commission regulations.

8003.13.2 Outdoor storage.

8003.13.2.1 General. Outdoor storage of radioactive materials in quantities exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.13.2.

8003.13.2.2 Distance from storage to exposures. Outdoor storage shall not be within 20 feet (6096 mm) of property

lines, streets, alleys, public ways or exits to a public way. An unpierced two-hour fire-resistive wall extending not less than 30 inches (762 mm) above and to the sides of the storage area is allowed in lieu of such distance.

Outdoor storage shall not be within 20 feet (6096 mm) of buildings unless the building exterior walls are not less than one-hour fire-resistive construction. Storage shall not be within 10 feet (3048 mm) from building openings. Building openings less than 20 feet (6096 mm) from outdoor storage shall be protected by a fire assembly having a 45-minute fire-resistive rating.

8003.13.2.3 Fire-extinguishing systems. Outdoor storage of radioactive materials shall be in fire-resistive containers or shall comply with one of the following:

1. The storage area shall be protected by an automatic, open head, deluge fire-sprinkler system of the type and density specified in the Building Code (see U.B.C. Standard 9-1), or

2. Storage shall be located under a canopy of noncombustible construction, with the canopied area protected by an approved automatic fire-extinguishing system. Such storage shall not be considered to be indoor storage. See Section 8003.1.20.

8003.13.2.4 Storage conditions. Storage shall be arranged in accordance with Nuclear Regulatory Commission, state and local requirements.

8003.14 Corrosives.

8003.14.1 Indoor storage.

8003.14.1.1 General. Indoor storage of corrosive materials in amounts exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.14.1.

Retail display of corrosive materials shall be in accordance with Section 8001.12.

8003.14.1.2 Liquid-tight floor. In addition to Section 8003.1.18, floors in storage areas for corrosive liquids shall be of liquid-tight construction.

8003.14.2 Outdoor storage.

8003.14.2.1 General. Outdoor storage of corrosive materials in quantities exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.14.2.

8003.14.2.2 Distance from storage to exposures. Outdoor storage of corrosive liquids shall not be within 20 feet (6096 mm) of buildings, property lines, streets, alleys, public ways or exits to a public way. An unpierced two-hour fire-resistive wall extending not less than 30 inches (762 mm) above and to the side of the storage area is allowed in lieu of such distance.

8003.15 Carcinogens, Irritants, Sensitizers and Other Health Hazard Solids, Liquids and Gases.

8003.15.1 Indoor storage.

8003.15.1.1 General. Indoor storage of carcinogens, irritants, sensitizers and other health hazard solids, liquids

and gases in amounts exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.15.1.

Retail display of carcinogens, irritants, sensitizers and other health hazard materials shall be in accordance with Section 8001.12.

8003.15.1.2 Liquid-tight floor. In addition to Section 8003.1.18, floors in storage areas for carcinogens, irritants, sensitizers or other health hazard liquids shall be of liquid-tight construction.

8003.15.2 Outdoor storage.

8003.15.2.1 General. Outdoor storage of carcinogens, irritants, sensitizers and other health hazard solids, liquids and gases in quantities exceeding the exempt amounts set forth in Section 8001.13 shall be in accordance with Sections 8003.1 and 8003.15.2.

8003.15.2.2 Distance from storage to exposures. Outdoor storage of carcinogens, irritants, sensitizers or other health hazard solids, liquids and gases shall not be within 20 feet (6096 mm) of buildings, property lines, streets, alleys, public ways or exits to a public way. An unpierced two-hour fire-resistive wall extending not less than 30 inches (762 mm) above and to the sides of the storage area is allowed in lieu of such distance.

8003.15.2.3 Storage conditions. Outdoor storage of carcinogens, irritants, sensitizers and other health hazard solids and liquids shall be separated into piles not larger than 2,500 cubic feet (70.79 m³). Aisle widths between piles shall not be less than one-half the height of the piles or 10 feet (3048 mm), whichever is greater.

NEW SECTION

WAC 51-34-9100 Appendix II-F—Protected above-ground tanks for motor vehicle fuel-dispensing stations outside buildings.

NEW SECTION

WAC 51-34-9101 Section 1—Scope. Storage and dispensing of motor fuels into the fuel tanks of motor vehicles from protected aboveground tanks located outside buildings shall be in accordance with Appendix II-F.

NEW SECTION

WAC 51-34-9102 Section 2—Definitions. For the purpose of Appendix II-F, certain terms are defined as follows:

FUEL-DELIVERY SYSTEM is a system which consists of a tank vehicle containing a pump, fill hose with appropriate connections, and a person who performs the tank filling operation of transferring fuel from the tank vehicle to an aboveground tank. The two types of fuel-delivery systems for aboveground tanks are as follows:

2.1 PRECONNECTED FLEXIBLE HOSE SYSTEM is a fuel-delivery system containing a reel-mounted preconnected flexible hose having a maximum nominal

diameter of 2 inches (50.8 mm) and a manually controlled fuel-delivery nozzle at the downstream end of the hose.

2.2 **RIGID HOSE SYSTEM** is a fuel-delivery system utilizing one or more sections of large diameter rigid hose [usually 3 to 4 inches (76.2 to 101.6 mm) in nominal diameter] which does not contain a nozzle but which contains interlocking connections for manually connecting the hose from the tank vehicle to the tank.

PRIMARY TANK is a listed aboveground atmospheric tank used to store liquid. See definition of PRIMARY CONTAINMENT in Section 217.

PROTECTED ABOVEGROUND TANK is a listed tank system consisting of a primary tank provided with protection from physical damage, and fire-resistive protection from a high-intensity liquid pool fire exposure. The tank system is allowed to provide these protection elements as a unit or is allowed to be an assembly of components, or a combination thereof.

NEW SECTION

WAC 51-34-9103 Section 3—Permits and plans. A permit is required to install, operate, repair or modify protected aboveground tanks used for storage and dispensing of flammable or combustible liquid motor fuels.

The installation plans shall be submitted with permit applications. The plans shall include the design, details, and specifications of the following:

- 3.1 Quantities and types of liquids to be stored;
- 3.2 Distances from tanks and dispensers to property lines and buildings;
- 3.3 Vehicle access;
- 3.4 Fire appliances;
- 3.5 Vehicle impact protection;
- 3.6 Protected aboveground tanks and their supports;
- 3.7 Method of storage and dispensing;
- 3.8 Overfill prevention, spill containment, vents, vapor recovery, dispensers, and other equipment and accessories;
- 3.9 Seismic design in accordance with the Building Code;
- 3.10 Secondary containment;
- 3.11 Venting;
- 3.12 Piping;
- 3.13 Electrical systems;
- 3.14 Emergency controls; and
- 3.15 Other information as required by the chief.

NEW SECTION

WAC 51-34-9104 Section 4—Tank design.

4.1 **General.** Protected aboveground tanks shall be listed and shall meet the requirements of U.F.C. Standard A-II-F-1.

4.2 **Primary Tanks.** Primary tanks shall be designed in accordance with Section 7902.1.8.2.1.

4.3 **Size.** Primary tanks shall not exceed a 10,000-gallon (37 854 L) individual or 40,000-gallon (151 416 L) aggregate capacity.

4.4 **Vents.**

4.4.1 **Capacity.** The vent capacity reduction factor as provided for in Section 7902.2.6.3.4 shall not be allowed.

4.4.2 **Flame arresters.** Approved flame arresters shall be installed in normal vents.

4.5 **Projectile Protection.** When a projectile test is required by the chief, the protected tank shall be tested in accordance with the requirements for bullet resistance as specified in Section 7702.3.4.3.

NEW SECTION

WAC 51-34-9105 Section 5—Installation of tanks. The installation of protected aboveground tanks shall be in accordance with the following:

5.1 **Separation Distances.** A protected aboveground tank shall be separated from property lines, important buildings, public ways and other tanks in accordance with Table A-II-F-1.

TABLE A-II-F-1—MINIMUM SEPARATION REQUIREMENTS FOR PROTECTED ABOVEGROUND TANKS

INDIVIDUAL TANK CAPACITY gallons (liters)	MINIMUM DISTANCE FROM PROPERTY LINE WHICH IS OR CAN BE BUILT UPON, INCLUDING THE OPPOSITE SIDE OF A PUBLIC WAY feet (m)	MINIMUM DISTANCE FROM THE NEAREST SIDE OF ANY PUBLIC WAY OR FROM THE NEAREST IMPORTANT BUILDING ON THE SAME PROPERTY feet (m)	MINIMUM DISTANCE BETWEEN TANKS feet (m)
Less than or equal to 6,000 (22 712)	15 (4572)	5 (1524)	3 (914)
Greater than 6,000 (22 712)	50 (15 240)	25 (7620)	3 (914)

5.2 **Total Quantity.** Protected aboveground tank installations shall not exceed 40,000 gallons (151 416 L) aggregate capacity of primary tanks. Tank installations having the maximum allowable aggregate capacity shall be separated from other installations of protected aboveground tanks by not less than 100 feet (30 480 mm).

5.3 **Secondary Containment.** Protected aboveground tanks shall be provided with drainage control or diking in accordance with Sections 7901.8 and 7902.2.8 or with secondary containment that is a component of the listed protected tank system. Secondary containment systems shall be monitored either visually or automatically. Enclosed secondary containment systems shall be provided with emergency venting.

5.4 **Vehicle Impact Protection.** Guard posts or other approved barrier protection shall be separately provided for each protected aboveground tank and for connected piping subject to vehicle impact. The design of guard posts shall be in accordance with Section 8001.9.3. Also see U.F.C. Standard A-II-F-1, Section 2.7.2.

5.5 **Overfill Prevention.** Protected aboveground tanks shall not be filled in excess of 90 percent of their capacity. An overfill prevention system shall be provided for each tank. During tank filling operation, the system shall:

- 1. Provide an independent means of notifying the person filling the tank that the fluid level has reached 85

PERMANENT

percent of tank capacity by providing an audible or visual alarm signal, providing a tank level gage marked at 85 percent of tank capacity, or other approved means, and

2. Automatically shut off the flow of fuel to the tank when the quantity of liquid in the tank reaches 90 percent of tank capacity. For rigid hose fuel-delivery systems, an approved means shall be provided to empty the fill hose into the tank after the automatic shutoff device is activated.

A permanent sign shall be provided at the fill point for the tank documenting the filling procedure and the tank calibration chart. The filling procedure shall require the person filling the tank to determine the gallonage required to fill it to 90 percent of capacity before commencing the fill operation.

5.6 Fill Pipe Connections. The fill pipe shall be provided with a means for making a direct connection to the tank vehicle's fuel-delivery hose so that the delivery of fuel is not exposed to the open air during the filling operation. When any portion of the fill pipe exterior to the tank extends below the level of the top of the tank, a check valve shall be installed in the fill pipe not more than 12 inches (304.8 mm) from the fill hose connection. See Section 7901.11.4 for tank valves.

5.7 Spill Containers. A spill container having a capacity of not less than 5 gallons (18.9 L) shall be provided for each fill connection. For tanks with a top fill connection, spill containers shall be noncombustible and shall be fixed to the tank and equipped with a manual drain valve which drains into the primary tank. For tanks with a remote fill connection, a portable spill container shall be provided.

5.8 Signs. Warning signs and identification signs shall be installed to clearly identify hazards. The design of such signs shall be in accordance with Sections 5201.8 and 7901.9. Conspicuous signs prohibiting simultaneous tank filling and fuel dispensing shall be posted.

NEW SECTION

WAC 51-34-9106 Section 6—Installation of dispensing and piping systems.

6.1 General. Dispensing and piping systems and electrical controls shall be installed in accordance with Section 7901.11 and Article 52, except as provided in Appendix Sections 6.2, 6.3 and 6.4.

6.2 Tank Openings. Tank openings in protected aboveground tanks shall be through the top only.

6.3 Dispensing Devices. Dispensing devices are allowed to be installed on top of or immediately adjacent to protected aboveground tanks.

6.4 Antisiphon Devices. Approved antisiphon devices shall be installed in each external pipe connected to the tank when the pipe extends below the level of the top of the tank.

NEW SECTION

WAC 51-34-9107 Section 7—Parking of tank vehicles. Tank vehicles shall not be parked within 25 feet (7620 mm) of a protected aboveground tank.

EXCEPTION: When the tank is being filled from the tank vehicle.

NEW SECTION

WAC 51-34-9108 Section 8—Maintenance. Protected aboveground tanks, piping and dispensing systems shall be maintained in a safe operating condition. Protected aboveground tanks and components of dispensing systems shall be maintained in accordance with their listings.

Damage to protected aboveground tanks shall be repaired using materials having equal or greater strength and fire resistance.

Chapter 51-35 WAC STATE BUILDING CODE ADOPTION AND AMENDMENT OF THE 1994 EDITION OF THE UNIFORM FIRE CODE STANDARDS

NEW SECTION

WAC 51-35-001 Authority. These rules are adopted under the authority of chapter 19.27 RCW.

NEW SECTION

WAC 51-35-002 Purpose. The purpose of these rules is to implement the provisions of chapter 19.27 RCW, which provides that the State Building Code Council shall maintain the State Building Code in a status which is consistent with the purpose as set forth in RCW 19.27.020. In maintaining the codes the Council shall regularly review updated versions of the codes adopted under the act, and other pertinent information, and shall amend the codes as deemed appropriate by the Council.

NEW SECTION

WAC 51-35-003 Uniform Fire Code Standards. The 1994 edition of the Uniform Fire Code Standards as published by the International Fire Code Institute is hereby adopted by reference with the following additions, deletions, and exceptions.

NEW SECTION

WAC 51-35-007 Exceptions. The exceptions and amendments to the Uniform Fire Codes Standards contained in the provisions of chapter 19.27 RCW shall apply in case of conflict with any of the provisions of these rules.

NEW SECTION

WAC 51-35-008 Implementation. The Uniform Fire Code Standards adopted by chapter 51-35 Washington Administrative Code (WAC) shall become effective in all counties and cities of this state on June 30, 1995.

NEW SECTION

WAC 51-35-52000 Uniform Fire Code Standard 52-1 compressed natural gas (CNG) vehicular fuel systems.

NEW SECTION

WAC 51-35-52400 Chapter 4—CNG compression, storage, and dispensing systems.

NEW SECTION

WAC 51-35-52440 Section 52440.

4-4 Siting.NEW SECTION

WAC 51-35-52441 Section 52441.

4-4.1 CNG compression, storage, and dispensing shall be located and conducted outdoors or indoors in compliance with 4-4.2 and 4-4.3. Vehicle Fueling Appliances shall be installed per Section 4-17.

NEW SECTION

WAC 51-35-52442 Section 52442.

4-4.2 Outdoors.

4-4.2.1 CNG storage containers charged with CNG not connected for use shall be located outdoors.

4-4.2.2 Weather Protection Shelters. A facility in which CNG compression, storage and dispensing equipment is sheltered by an enclosure of noncombustible materials that has at least 50 percent of the total perimeter area substantially open and a roof designed for ventilation and dispersal of escaped gas shall be regarded as outdoors.

EXCEPTION: Compression equipment located in or under such weather protection shelters may be fully enclosed by noncombustible materials.

4-4.2.3 Compression, storage, and dispensing equipment outdoors shall be located aboveground, not beneath electric power lines or where exposed by their failure, and a minimum of 10 ft (3.0 m) from the nearest important building or line of adjoining property that may be built upon or source of ignition.

4-4.2.4 Compression, storage, and dispensing equipment outdoors shall be located not less than 10 ft (3.0 m) from the nearest public street or sidewalk line and at least 50 ft (15 m) from the nearest rail of any railroad main track.

4-4.2.5 A clear space of at least 3 ft (1 m) shall be provided for access to all valves and fittings of multiple groups of containers.

4-4.2.6 Readily ignitable material shall not be permitted within 10 ft (3 m) of any stationary container.

4-4.2.7 The minimum separation between containers and aboveground tanks containing flammable or combustible liquids shall be 20 ft (6.1 m).

4-4.2.8 During outdoor fueling operations, the point of transfer (see definition) shall be located at least 10 ft (3 m)

from any important building, mobile home, public sidewalk, highway, street, or road and at least 3 ft (1 m) from storage containers.

EXCEPTION: At the discretion of the authority having jurisdiction, the point of transfer may be located at a lesser distance from buildings or walls constructed of concrete or masonry materials, but at least 10 ft (3.0 m) from any building openings.

Delete Chapters 5 and 6 and substitute New Chapters 5 and 6 as follows:

NEW SECTION

WAC 51-35-52500 Chapter 5—Vehicle fueling appliances.

NEW SECTION

WAC 51-35-52510 Section 52510.

5-1 General

5-1.1 Applicability. Vehicle fueling appliances shall be installed, operated and maintained in accordance with this chapter, Uniform Fire Code Article 52, the Mechanical Code and the Plumbing Code.

5-1.2 Permits. For commercial vehicle fueling permits, see Uniform Fire Code Section 105.8, permit m.3.

5-1.3 Maximum flow and pressure. Vehicle fueling appliances shall not exceed a flow rate of 10 standard cubic feet per minute (4.7 L/s) at a discharge pressure of 4,000 psi (27 579 kPa) at NTP. Vehicle fueling appliances used for residential service shall not exceed a flow rate of 5 standard cubic feet per minute (2.4 L/s) at a discharge pressure of 4,000 psi (27 579 kPa) at NTP.

NEW SECTION

WAC 51-35-52520 Section 52520.

5-2 Location and Installation

5-2.1 Residential and commercial vehicle fueling appliances shall be installed outside of buildings. The appliance shall be a minimum of 3 feet (914 mm) from property lines and building openings. When approved by the chief, commercial vehicle fueling appliances may be installed indoors when installed in accordance with Section 5-8.3 and Uniform Fire Code Article 52.

For the purposes of this section, residential shall mean a dwelling as defined in the Uniform Building Code but does not include congregate residences. For the purposes of this section commercial shall not include hotels, apartments, congregate residences and lodging houses.

5-2.2 Anchorage. Vehicle fueling appliances shall be anchored to resist loads in accordance with the Building Code.

5-2.3 Physical and impact protection. Equipment related to the vehicle fueling appliance shall be protected to minimize the possibility of physical damage. When subject to vehicle impact, vehicle fueling appliances shall be provided

with vehicular impact protection. See Uniform Fire Code Section 8001.9.3.

5-2.4 Safe functioning of the appliance. The vehicle fueling appliance shall be located to prevent damage resulting from flooding, ice build-up or blockage of ventilation.

NEW SECTION

WAC 51-35-52530 Section 52530.

5-3 Appliance Vent Lines

5-3.1 General. Vehicle fueling appliances shall be provided with an approved method to discharge methane outdoors as the result of the operation of a relief valve or device.

5-3.2 Arrangement. Relief valves or devices shall be provided with an approved means of safely discharging natural gas outside of buildings. The method employed shall be designed such that the design flow capacity of the relief valve or device is not restricted.

5-3.3 Location. Relief valves or devices shall be terminated in accordance with the following minimum requirements:

5-3.3.1 Sources of ignition. Relief valves or devices shall terminate a minimum of 36 inches (914 mm) from sources of ignition.

5-3.3.2 Building openings. Relief valves or devices shall terminate a minimum of 36 inches (914 mm) horizontally and 12 inches (305 mm) vertically above openings or vents into buildings or a space where flammable vapors are likely to accumulate.

5-3.3.3 Paths of egress. Relief valves or devices shall not terminate within 5 feet (1524 mm) of sidewalks or paths of egress.

5-3.4 Termination. Relief valves or devices shall be terminated so as to prevent the entry of water, insects, ice or other materials.

NEW SECTION

WAC 51-35-52540 Section 52540.

5-4 Hoses

5-4.1 General. Hoses used for the supply of natural gas to the vehicle fueling appliances or the dispensing of natural gas into motor vehicles shall be in accordance with this section.

5-4.2 Supply hoses. A single hose having a maximum length of 3 feet (914 mm) is allowed to be used to terminate the natural gas supply into the intake of the vehicle fueling appliance. The hose shall be installed when it is necessary to prevent abrasion damage resulting from vibration at the compressor intake or discharge.

5-4.3 Dispensing hoses. The use of hoses for dispensing of natural gas from a vehicle fueling appliance into a motor vehicle shall be in accordance with the following minimum requirements:

5-4.3.1 Length. The maximum length of the hose shall not exceed 25 feet (7620 mm).

5-4.3.2 Protection. Hoses shall be protected from abrasion, mechanical damage and being driven over.

5-4.3.3 Number of hoses. The number of hoses which may be used for the dispensing of natural gas into motor vehicles shall be in accordance with the appliance's listing.

5-4.3.4 Breakaway protection. The vehicle dispensing hose shall be equipped with a breakaway connection. Operation of the breakaway connection shall stop the flow of natural gas from the vehicle fueling appliance. The maximum force necessary to effect breakaway shall be 40 pounds (18.1 kg) in any horizontal direction.

NEW SECTION

WAC 51-35-52550 Section 52550.

5-5 Signs

5-5.1 General. Signs concerning the safe operation of vehicle fueling appliances shall be provided in accordance with this section.

5-5.2 No smoking. NO SMOKING WITHIN 3 FEET signs shall be provided at the vehicle fueling appliance.

5-5.3 Automobile ignition. TURN OFF IGNITION BEFORE FUELING signs shall be provided at the vehicle fueling appliance.

5-5.4 Electrical disconnect. Approved CNG COMPRESSOR EMERGENCY ELECTRICAL DISCONNECT signs shall be provided at the electrical disconnect switch.

NEW SECTION

WAC 51-35-52560 Section 52560.

5-6 Electrical Disconnect

5-6.1 An emergency electrical disconnect switch shall be provided in an approved location not less than 5 feet (1524 mm) or more than 25 feet (7620 mm) away from the vehicle fueling appliance. The disconnect switch shall be in view of the vehicle fueling appliance.

NEW SECTION

WAC 51-35-52570 Section 52570.

5-7 Gas Supply

5-7.1 Vehicle fueling appliances shall be provided with an approved method of shutting off the supply of natural gas.

NEW SECTION

WAC 51-35-52580 Section 52580.

5-8 Dispensing of CNG

5-8.1 The exterior and interior dispensing of natural gas into motor vehicles shall be in accordance with this section.

5-8.2 Exterior dispensing. The exterior dispensing of natural gas into motor vehicles shall be in accordance with Chapter 5 of this Standard and Uniform Fire Code Article 52.

5-8.3 Interior dispensing. When approved by the chief, the fueling of vehicles inside of buildings shall be in accordance with this section and the following requirements:

5-8.3.1 Mechanical ventilation. The room or area where natural gas is dispensed shall be provided with mechanical ventilation which is designed to not recirculate air. The ventilation system shall terminate outside of the building. The ventilation system shall be designed to provide a minimum ventilation rate of at least 10 times the maximum flow rate of the vehicle fueling appliance.

5-8.3.2 Gas detection. The room or area where natural gas is dispensed shall be provided with a listed gas-detection system. The detector shall be designed to activate an audible and visual alarm when the amount of natural gas exceeds 20 percent of the lower flammability limit for methane.

5-8.3.3 System failure. Failure of the mechanical ventilation system or the gas-detection system shall shut off power to the vehicle fueling appliance.

NEW SECTION

WAC 51-35-52590 Section 52590.

5-9 Maintenance and Inspection

5-9.1 General. Installation and maintenance of vehicle fueling appliances shall be in accordance with the manufacturer's instructions and listings.

5-9.2 Identification. A water-resistant tag, label or other approved means shall be affixed to the vehicle fueling appliance which identifies that the appliance has been serviced in accordance with manufacturer's instructions.

NEW SECTION

WAC 51-35-52600 Chapter 6—Reserved.

WSR 95-01-126

PERMANENT RULES

BUILDING CODE COUNCIL

[Filed December 21, 1994, 11:36 a.m., effective June 30, 1995]

Date of Adoption: November 18, 1994.

Purpose: To adopt an exemption for log and solid timber walls from the residential building envelope requirements, revised references to the uniform codes and delete expired deemed to satisfy exceptions.

Citation of Existing Rules Affected by this Order: Amending WAC 51-11-0105, 51-11-0108, 51-11-0502, 51-11-0530, 51-11-0625 - 51-11-0630, 51-11-0900, and 51-11-1143.

Statutory Authority for Adoption: Chapters 19.27 and 19.27A RCW.

Other Authority: Chapter 226, Laws of 1994.

Pursuant to notice filed as WSR 94-16-116 on August 2, 1994.

Effective Date of Rule: June 30, 1995.

December 21, 1994
Gene Colin
Chair

AMENDATORY SECTION (Amending WSR 91-01-112, filed 12/19/90, effective 7/1/91)

WAC 51-11-0105 Inspections and enforcement.

105.1 General: All construction or work for which a permit is required shall be subject to inspection by the building official and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official.

105.2 Approvals Required: No work shall be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining the approval of the building official.

105.2.1 Required Inspections: The building official, upon notification, shall make the following inspection in addition to those inspections required in section ~~((305(e)))~~ 108.5 of the Washington State Uniform Building Code:

1. Wall insulation inspection: To be made after all wall insulation and air vapor retarder sheet or film materials are in place, but before any wall covering is placed.

105.3 Reinspection: The building official may require a structure to be reinspected.

AMENDATORY SECTION (Amending WSR 91-01-112, filed 12/19/90, effective 7/1/91)

WAC 51-11-0108 Conflicts with other codes. In addition to the requirements of this Code, all occupancies shall conform to the provisions included in the State Building Code (chapter 19.27 RCW) and Uniform Building Code and Standards Adoption and Amendment rules ~~((and))~~ (chapter ~~((51-16))~~ 51-30 WAC). In case of conflicts among codes enumerated in RCW 19.27.031 (1), (2), (3), and (4) and this Code, the first named code shall govern over the following. Provided, in the case of conflict between the duct insulation requirements of this Code and the duct insulation requirements of ~~((section 1005))~~ Table 6-D of the Uniform Mechanical Code ~~(chapter 51-32 WAC)~~, the duct insulation requirements of this Code, or where applicable, a local jurisdiction's energy code shall govern.

Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Wherever in this Code reference is made to the appendix, the provisions in the appendix shall not apply unless specifically adopted.

AMENDATORY SECTION (Amending WSR 94-05-059, filed 2/10/94, effective 4/1/94)

WAC 51-11-0502 Building envelope requirements.

502.1 General:

502.1.1: The stated U- or F-value of any component assembly, listed in Table 5-1 or 5-2, such as roof/ceiling, opaque wall or opaque floor may be increased and the U-value for other components decreased, provided that the total heat gain or loss for the entire building envelope does not

exceed the total resulting from compliance to the U-values specified in this Section.

The U-values for typical construction assemblies are included in Chapter 10. These values shall be used for all calculations. Where proposed construction assemblies are not represented in Chapter 10, values shall be calculated in accordance with Chapters 19-27 in Standard RS-1 listed in Chapter 7, using the framing factors listed in Chapter 10 where applicable.

For envelope assemblies containing metal framing, the U-value shall be determined by one of the following methods:

1. Results of laboratory or field measurements.
2. Standard RS-25, listed in Chapter 7, where the metal framing is bonded on one or both sides to a metal skin or covering.
3. The zone method as provided in Chapter 22 of Standard RS-1, listed in Chapter 7.
4. Effective framing/cavity R-values as provided from the following table for metal stud walls:

WALL FRAMING	CAVITY INSULATION	
	R-11	R-19
2 x 4 @ 16" o.c.	5.50	-
2 x 4 @ 24" o.c.	6.60	-
2 x 6 @ 16" o.c.	-	7.60
2 x 6 @ 24" o.c.	-	8.55

502.1.2: For consideration of thermal mass effects, see section 402.4.

502.1.3: When return air ceiling plenums are employed, the roof/ceiling assembly shall:

- a. For thermal transmittance purposes, not include the ceiling proper nor the plenum space as part of the assembly; and
- b. For gross area purposes, be based upon the interior face of the upper plenum surface.

502.1.4 Insulation:

502.1.4.1 General: All insulating materials shall comply with sections ~~((1712 and/or 1713))~~ 2602 and/or 707 of the Uniform Building Code. Substantial contact of the insulation with the surface being insulated is required. All insulation materials shall be installed according to the manufacturer's instructions to achieve proper densities~~((s))~~ and maintain uniform R-values. To the maximum extent possible, insulation shall extend over the full component area to the intended R-value.

502.1.4.2 Insulation Materials: All insulation materials including facings such as vapor barriers or breather papers installed within floor/ceiling assemblies, roof/ceiling assemblies, walls, crawl spaces, or attics shall have a flame spread rating of less than ~~((twenty-five))~~ 25 and a smoke density not to exceed ~~((four hundred fifty))~~ 450 when tested in accordance with UBC Standard ~~((42-1))~~ 8-1.

EXCEPTIONS:

1. Foam plastic insulation shall comply with section ~~((1712))~~ 2602 of the Uniform Building Code.
2. When such materials are installed in concealed spaces of Types III, IV~~((s))~~ and V construction, the flame spread and smoke developed limitations do not apply to facing, provided that the facing is installed in substantial contact with the unexposed surface of the ceiling, floor~~((s))~~ or wall finish.
3. Cellulose insulation shall comply with section ~~((1713))~~ 707 of the Uniform Building Code.

502.1.4.3 Clearances: Where required, insulation shall be installed with clearances according to manufacturer's specifications. Insulation shall be installed so that required ventilation is unobstructed. For blown or poured loose fill insulation, clearances shall be maintained through installation of a permanent retainer.

502.1.4.4 Access Hatches and Doors: Access doors from conditioned spaces to unconditioned spaces (e.g., attics and crawl spaces) shall be weatherstripped and insulated to a level equivalent to the insulation on the surrounding surfaces. Access shall be provided to all equipment which prevents damaging or compressing the insulation. A wood framed or equivalent baffle or retainer must be provided when loose fill insulation is installed, the purpose of which is to prevent the loose fill insulation from spilling into the living space when the attic access is opened, and to provide a permanent means of maintaining the installed R-value of the loose fill insulation.

502.1.4.5 Roof/Ceiling Insulation: Open-blown or poured ~~((loose fill))~~ loose fill insulation may be used in attic spaces where the slope of the ceiling is not more than ~~((three))~~ 3 feet in ~~((twelve))~~ 12 and there is at least ~~((thirty))~~ 30 inches of clear distance from the top of the bottom chord of the truss or ceiling joist to the underside of the sheathing at the roof ridge. When eave vents are installed, baffling of the vent openings shall be provided so as to deflect the incoming air above the surface of the insulation. Baffles shall be, rigid material, resistant to wind driven moisture. Requirements for baffles for ceiling insulation shall meet the Uniform Building Code section ~~((3205(e)))~~ 1505.3 for minimum ventilation requirements. When feasible, the baffles shall be installed from the top of the outside of the exterior wall, extending inward, to a point ~~((six))~~ 6 inches vertically above the height of noncompressed insulation, and ~~((twelve))~~ 12 inches vertically above loose fill insulation.

502.1.4.6 Wall Insulation: Insulation installed in exterior walls shall comply with the provisions of this section. All wall insulation shall fill the entire cavity. Exterior wall cavities isolated during framing shall be fully insulated to the levels of the surrounding walls. All faced insulation shall be face stapled to avoid compression.

502.1.4.7 Floor Insulation: Floor insulation shall be installed in a permanent manner in substantial contact with the surface being insulated. Insulation supports shall be installed so spacing is no more than ~~((twenty-four))~~ 24 inches on center. Foundation vents shall be placed so that the top of the vent is below the lower surface of the floor insulation.

EXCEPTION: Insulation may be omitted from floor areas over heated basements, heated garages~~((s))~~ or underfloor areas used as

PERMANENT

HVAC supply plenums. See Uniform Mechanical Code section ~~((1008))~~ 607 for underfloor supply plenum requirements. When foundation walls are insulated, the insulation shall be attached in a permanent manner. The insulation shall not block the airflow through foundation vents when installed. When foundation vents are not placed so that the top of the vent is below the lower surface of the floor insulation, a permanently attached baffle shall be installed at an angle of ~~((thirty degrees))~~ 30° from horizontal, to divert air flow below the lower surface of the floor insulation.

502.1.4.8 Slab-On-Grade: Slab-on-grade insulation, installed inside the foundation wall, shall extend downward from the top of the slab for a minimum distance of ~~((twenty-four))~~ 24 inches or downward and then horizontally beneath the slab for a minimum combined distance of ~~((twenty-four))~~ 24 inches. Insulation installed outside the foundation shall extend downward to a minimum of ~~((twenty-four))~~ 24 inches or to the frostline. Above grade insulation shall be protected.

EXCEPTION: For monolithic slabs, the insulation shall extend downward from the top of the slab to the bottom of the footing.

502.1.4.9 Radiant Slabs: The entire area of a radiant slab shall be thermally isolated from the soil, with a minimum of R-10 insulation. The insulation shall be an approved product for its intended use. If a ~~((soil gas))~~ soil gas control system is present below the radiant slab, which results in increased convective flow below the radiant slab, the radiant slab shall be thermally isolated from the sub-slab gravel layer.

502.1.4.10 ~~((Below-Grade))~~ Below Grade Walls: ~~((a-))~~ Below grade exterior wall insulation used on the exterior (cold) side of the wall shall extend from the top of the ~~((below-grade))~~ below grade wall to the top of the footing and shall be approved for ~~((below-grade))~~ below grade use. Above grade insulation shall be protected.

~~((b-))~~ Insulation used on the interior (warm) side of the wall shall extend from the top of the ~~((below-grade))~~ below grade wall to the ~~((below-grade))~~ below grade floor level.

502.1.5 Glazing and Door U-Values: Glazing and door U-values shall be determined in accordance with sections 502.1.5.1 and 502.1.5.2. All products shall be labeled with the NFRC certified or default U-value. The labeled U-value shall be used in all calculations to determine compliance with this Code. Sealed insulating glass shall conform to, or be in test for, ASTM E-774-81 class A.

EXCEPTIONS:

~~1. Until December 31, 1994, the following products may be assigned a U-value of 0.40 for the purposes of determining compliance with the electric resistance component performance path as determined by Equation 3 in WAC 51-11-0527:~~

~~A vinyl or wood double pane window, excluding sliding glass doors, constructed with a minimum 1/2 inch air space between glazings and either a low-e glazing or an argon fill of no less than 90%.~~

~~The only labeling requirement for products using this exception shall be a description of the product, and a label stating: "This product is deemed to satisfy the electric resistance path in the Washington State Energy Code."~~

~~2. Until December 31, 1994, the following products may be assigned a U-value of 0.65 for the purposes of determining compliance with the~~

~~other fuels component performance path as determined by Equation 3 in WAC 51-11-0527:~~

~~An aluminum, double pane window, excluding sliding glass doors, constructed with a minimum 7/16 inch air space between glazings.~~

~~The only labeling requirement for products using this exception shall be a description of the product, and a label stating: "This product is deemed to satisfy the other fuels path in the Washington State Energy Code."~~

~~3. Log homes, in addition to the exceptions above, may utilize the following: Until December 31, 1994, the following products may be assigned a U-value of 0.31 for the purposes of determining compliance with the electric resistance or other fuels component performance path as determined by Equation 3 in WAC 51-11-0527:~~

~~A vinyl or wood double pane window, excluding sliding glass doors, constructed with a minimum 1/2 inch air space between glazings and both a low-e glazing and an argon fill of no less than 90%.~~

~~The only labeling requirement for products using this exception shall be a description of the product, and a label stating: "This product is deemed to satisfy either the electric resistance path or the other fuels path for log homes in the Washington State Energy Code."~~

502.1.5.1 Standard Procedure for Determination of Glazing U-Values: U-values for glazing shall be determined, certified and labeled in accordance with the National Fenestration Rating Council (NFRC) Product Certification Program (PCP), as authorized by an independent certification and inspection agency licensed by the NFRC. Compliance shall be based on Model Size AA. Product samples used for U-value determinations shall be production line units or representative of units as purchased by the consumer or contractor. Products that are listed in the NFRC Certified Products Directory or certified to the NFRC standard shall not use default values.

EXCEPTIONS:

1. Untested glazing products may be assigned default U-values from Table 10-6A.
2. Overhead glazing and units produced by a small business may be assigned default U-values from Table 10-6B.
3. Passive air inlets are not required to be part of the tested assembly.
4. Compliance for tested overhead glazing shall be based on NFRC Model Size BB.

502.1.5.2 Standard Procedure for Determination of Door U-Values: Half-lite and full-lite doors, including fire doors, shall be assigned default U-values from Table 10-6D. All other doors, including fire doors, shall be assigned default U-values from Table ~~((a))~~ 10-6C.

EXCEPTIONS:

1. U-values determined, certified and labeled in accordance with the National Fenestration Rating Council (NFRC) Product Certification Program (PCP), as authorized by an independent certification and inspection agency licensed by the NFRC.
2. The default values for the opaque portions of doors shall be those listed in Table 10-6C, provided that the U-value listed for a door with a thermal break shall only be allowed if both the door and the frame have a thermal break.
3. One unlabeled or untested exterior swinging door with the maximum area of 24 square feet may be installed for ornamental, security or architectural purposes. Products using this exception shall not be included in either the U-value or glazing area calculation requirements.

502.1.6 Moisture Control:

PERMANENT

502.1.6.1 Vapor Retarders: Vapor retarders shall be installed on the warm side (in winter) of insulation as specified in the following cases.

EXCEPTION: Vapor retarder installed with not more than ~~((one-third))~~ $\frac{1}{3}$ of the nominal R-value between it and the conditioned space.

502.1.6.2 Floors: Floors separating conditioned space from unconditioned space shall have a vapor retarder installed. The vapor retarder shall have a one perm dry cup rating or less (i.e., four mil~~((-))~~) [0.004 inch thick] polyethylene or kraft faced material).

502.1.6.3 Roof/Ceilings: Roof/ceiling assemblies where the ventilation space above the insulation is less than an average of ~~((twelve))~~ 12 inches shall be provided with a vapor retarder. Faced batt insulation where used as a vapor retarder shall be face stapled. Single rafter joist vaulted ceiling cavities shall be of sufficient depth to allow a minimum one inch vented air space above the insulation.

502.1.6.4: Vapor retarders shall not be required in roof/ceiling assemblies where the ventilation space above the insulation averages ~~((twelve))~~ 12 inches or greater.

502.1.6.5: Vapor retarders shall not be required where all of the insulation is installed between the roof membrane and the structural roof deck.

502.1.6.6 Walls ~~((Insulation))~~: Walls separating conditioned space from unconditioned space shall have a vapor retarder installed. Faced batt insulation shall be face stapled.

502.1.6.7 Ground Cover: A ground cover of six mil (0.006 inch thick) black polyethylene or approved equal shall be laid over the ground within crawl spaces. The ground cover shall be overlapped ~~((twelve))~~ 12 inches minimum at the joints and shall extend to the foundation wall.

EXCEPTION: The ground cover may be omitted in crawl spaces if the crawl space has a concrete slab floor with a minimum thickness of ~~((three and one-half))~~ 3-1/2 inches.

502.2 Thermal Criteria for Group R Occupancy:

502.2.1 UA Calculations: The proposed UA as calculated using Equations 2 and 3 shall not exceed the target UA as calculated using Equation 1. For the purpose of determining equivalent thermal performance, the glazing area for the target UA shall be calculated using figures in Table 5-1, and all the glazing shall be located in the wall area. The opaque door area shall be the same in the target UA and the proposed UA.

Exception: Log and solid timber walls that have a minimum average thickness of 3.5" and with space heat type other than electric resistance, are exempt from wall target UA and proposed UA calculations.

502.2.2 Space Heat Type: The following two categories comprise all space heating types:

1. **Electric Resistance:** Space heating systems which include baseboard units, radiant units~~((;))~~ and forced air units as either the primary or secondary heating system.

EXCEPTION: Electric resistance systems for which the total electric heat capacity in each individual dwelling unit does not exceed the greater of: 1) One thousand watts (1000 w) per

dwelling unit, or; 2) One watt per square foot (1 w/ft²) of the gross floor area.

2. **Other:** All gas, wood, oil~~((;))~~ and propane space heating systems, unless electric resistance is used as a secondary heating system, and all heat pump space heating systems. (See EXCEPTIONS, Electric Resistance, section 502.2.2 above.)

502.3 Reserved.

502.4 Air Leakage:

502.4.1 General: The requirements of this section shall apply to all buildings and structures, or portions thereof, and only to those locations separating outdoor ambient conditions from interior spaces that are heated or mechanically cooled.

502.4.2 Doors and Windows, General: Exterior doors and windows shall be designed to limit air leakage into or from the building envelope. Site-constructed doors and windows shall be sealed in accordance with Section 502.4.3.

502.4.3 Seals and Weatherstripping:

a. Exterior joints around windows and door frames, openings between walls and foundation, between walls and roof and wall panels; openings at penetrations of utility services through walls, floors~~((;))~~ and roofs; and all other openings in the building envelope for all occupancies and all other openings in between units in R-1 occupancy shall be sealed, caulked, gasketed~~((;))~~ or weatherstripped to limit air leakage.

b. All exterior doors or doors serving as access to an enclosed unheated area shall be weatherstripped to limit leakage around their perimeter when in a closed position.

c. Site built windows are exempt from testing but shall be made tight fitting. Fixed lights shall have glass retained by stops with sealant or caulking all around. Operating sash shall have weatherstripping working against overlapping trim~~((;))~~ and a closer/latch which will hold the sash closed. The window frame to framing crack shall be made tight with caulking, overlapping membrane~~((;))~~ or other approved technique.

d. Openings that are required to be fire resistive are exempt from this section.

502.4.4 Recessed Lighting Fixtures: When installed in the building envelope, recessed lighting fixtures shall meet one of the following requirements:

1. Type IC rated, manufactured with no penetrations between the inside of the recessed fixture and ceiling cavity and sealed or gasketed to prevent air leakage into the unconditioned space.

2. Type IC rated, installed inside a sealed box constructed from a minimum ~~((one-half))~~ 1/2 inch thick gypsum wall board, or constructed from a preformed polymeric vapor barrier, or other air tight assembly manufactured for this purpose.

3. Type IC rated, certified under ASTM E283 to have no more than 2.0 cfm air movement from the conditioned space to the ceiling cavity. The lighting fixture shall be tested at ~~((seventy-five))~~ 75 Pascals or 1.57 lbs/ft² pressure difference and have a label attached, showing compliance.

Reviser's note: The brackets and enclosed material in the text of 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.

AMENDATORY SECTION (Amending WSR 92-01-140, filed 12/19/91, effective 7/1/92)

WAC 51-11-0530 Table 5-1.

**TABLE 5-1
TARGET COMPONENT VALUES FOR GROUP R OCCUPANCY**

Component	Electric Resistance		Other Fuels	
	Climate Zone		Climate Zone	
	1	2	1	2
Glazing % Floor Area	15%	15%	15%	15%
Glazing U Factor	U = 0.400	U = 0.400	U = 0.650	U = 0.600
Doors	U = 0.200 (R-5)	U = 0.200 (R-5)	U = 0.400 (R-2.5)	U = 0.400 (R-2.5)
Ceilings				
Attic	U = 0.031 (R-38)	U = 0.031 (R-38)	U = 0.036 (R-30)	U = 0.031 (R-38)
Single Rafter/ Joist Vaulted	U = 0.034 (R-30)	U = 0.034 (R-30)	U = 0.034 (R-30)	U = 0.034 (R-30)
Walls	U = 0.058 (R-19A)	U = 0.044 (R-19+5A)	U = 0.062 (R-19)	U = 0.062 (R-19+5)
Floors	U = 0.029 (R-30)	U = 0.029 (R-30)	U = 0.041 (R-19)	U = 0.029 (R-30)
Slab on Grade Slab R-Value	F = 0.54 (R-10)	F = 0.54 (R-10)	F = 0.54 (R-10)	F = 0.54 (R-10)
Below Grade Interior				
Wall R-Value	R-19	R-19	R-19	R-19
2' Depth: Walls	U = 0.043	U = 0.043	U = 0.043	U = 0.043
Slab	F = 0.69	F = 0.69	F = 0.69	F = 0.69
3.5' Depth: Walls	U = 0.041	U = 0.041	U = 0.041	U = 0.041
Slab	F = 0.64	F = 0.64	F = 0.64	F = 0.64
7' Depth: Walls	U = 0.037	U = 0.037	U = 0.037	U = 0.037
Slab	F = 0.57	F = 0.57	F = 0.57	F = 0.57
Below Grade Exterior				
Wall R-Value	R-10	R-12	R-10	R-12
2' Depth: Walls	U = 0.070	U = 0.061	U = 0.070	U = 0.061
Slab	F = 0.60	F = 0.60	F = 0.60	F = 0.60
3.5' Depth: Walls	U = 0.064	U = 0.057	U = 0.064	U = 0.057
Slab	F = 0.57	F = 0.57	F = 0.57	F = 0.57
7' Depth: Walls	U = 0.056	U = 0.050	U = 0.056	U = 0.050
Slab	F = 0.42	F = 0.42	F = 0.42	F = 0.42

PERMANENT

**TABLE 5-1
TARGET COMPONENT VALUES FOR GROUP R OCCUPANCY**

Component	Electric Resistance		Other Fuels	
	Climate Zone		Climate Zone	
	1	2	1	2
Glazing % Floor Area	15%	15%	15%	15%
Glazing U-Factor	U = 0.400	U = 0.400	U = 0.650	U = 0.600
Doors	U = 0.200 (R-5)	U = 0.200 (R-5)	U = 0.400 (R-2.5)	U = 0.400 (R-2.5)
Ceilings				
Attic	U = 0.031 (R-38)	U = 0.031 (R-38)	U = 0.036 (R-30)	U = 0.031 (R-38)
Single Rafter/ Joist Vaulted	U = 0.034 (R-30)	U = 0.034 (R-30)	U = 0.034 (R-30)	U = 0.034 (R-30)
Walls	U = 0.058 (R-19A)	U = 0.044 (R-19+5A)	U = 0.062 ¹ (R-19)	U = 0.062 ¹ (R-19)
Floors	U = 0.029 (R-30)	U = 0.029 (R-30)	U = 0.041 (R-19)	U = 0.029 (R-30)
Slab on Grade Slab R-Value	F = 0.54 (R-10)	F = 0.54 (R-10)	F = 0.54 (R-10)	F = 0.54 (R-10)
Below Grade Interior				
Wall R-Value	R-19	R-19	R-19	R-19
2' Depth: Walls	U = 0.043	U = 0.043	U = 0.043	U = 0.043
Slab	F = 0.69	F = 0.69	F = 0.69	F = 0.69
3.5' Depth: Walls	U = 0.041	U = 0.041	U = 0.041	U = 0.041
Slab	F = 0.64	F = 0.64	F = 0.64	F = 0.64
7' Depth: Walls	U = 0.037	U = 0.037	U = 0.037	U = 0.037
Slab	F = 0.57	F = 0.57	F = 0.57	F = 0.57
Below Grade Exterior				
Wall R-Value	R-10	R-12	R-10	R-12
2' Depth: Walls	U = 0.070	U = 0.061	U = 0.070	U = 0.061
Slab	F = 0.60	F = 0.60	F = 0.60	F = 0.60
3.5' Depth: Walls	U = 0.064	U = 0.057	U = 0.064	U = 0.057
Slab	F = 0.57	F = 0.57	F = 0.57	F = 0.57
7' Depth: Walls	U = 0.056	U = 0.050	U = 0.056	U = 0.050
Slab	F = 0.42	F = 0.42	F = 0.42	F = 0.42

1. Log and Solid Timber walls that have a minimum average thickness of 3.5" are exempt from wall Target UA and Proposed UA calculations.

PERMANENT

AMENDATORY SECTION (Amending WSR 94-05-059, filed 2/10/94, effective 4/1/94)

WAC 51-11-0625 Table 6-1.

**TABLE 6-1
 PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
 CLIMATE ZONE 1 • HEATING BY ELECTRIC RESISTANCE**

Option	Glazing % Floor Area	Glazing U-Value	Doors ¹⁰ U-Value	Ceiling ²	Vaulted Ceiling ³	Wall Above Grade	Wall• int ⁴ Below Grade	Wall• ext ⁴ Below Grade	Floor ⁵	Slab ^{4,6} Grade
I.	10%	0.46	0.40	R-38	R-30	R-21	R-21	R-10	R-30	R-10
II.	12%	0.43	0.20	R-38	R-30	R-19	R-19	R-10	R-30	R-10
III.	12%	0.40 ⁹	0.40	R-38	R-30	R-21	R-21	R-10	R-30	R-10
IV.*	15%	0.40 ⁹	0.20	R-38	R-30	R-19	R-19	R-10	R-30	R-10
V.	18%	0.39	0.20	R-38	R-30	R-21	R-21	R-10	R-30	R-10
VI.	21%	0.36	0.20	R-38	R-30	R-21	R-21	R-10	R-30	R-10
VII. ⁷	25%	0.32 ⁷	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-10	R-30	R-10
VIII. ⁷	30%	0.29 ⁷	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-10	R-30	R-10

* Reference Case

- 1 Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- 2 Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.
- 3 Requirement applicable only to single rafter or joist vaulted ceilings.
- 4 Below grade walls shall be insulated either on the exterior to a minimum level of R-10, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See Section 602.2.
- 5 Floors over crawl spaces or exposed to ambient air conditions.
- 6 Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See Section 602.4.
- 7 The following options shall be applicable to buildings less than three stories: 0.35 maximum for glazing areas of 25% or less; 0.32 maximum for glazing areas of 30% or less.
- 8 This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.
- 9 Until December 31, 1994, a vinyl or wood double pane window, excluding sliding glass doors, constructed with a minimum 1/2 inch air space between glazings, and either a low-e glazing or an argon fill of no less than 90%, shall be deemed to satisfy the glazing U-value. The only labeling requirement for products using this exception shall be a description of the product, and a label stating: "This product is deemed to satisfy the electric resistance path in the Washington State Energy Code."
- 10 Doors, including all fire doors, shall be assigned default U-values from Table 10-6C or 10-6D.

PERMANENT

**TABLE 6-1
PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 1 • HEATING BY ELECTRIC RESISTANCE**

Option	Glazing % Floor Area	Glazing U-Value	Doors ⁹ U-Value	Ceiling ²	Vaulted Ceiling ³	Wall Above Grade	Wall• int ⁴ Below Grade	Wall• ext ⁴ Below Grade	Floor ⁵	Slab ⁴ on Grade
I.	10%	0.46	0.40	R-38	R-30	R-21	R-21	R-10	R-30	R-10
II.	12%	0.43	0.20	R-38	R-30	R-19	R-19	R-10	R-30	R-10
III.	12%	0.40	0.40	R-38	R-30	R-21	R-21	R-10	R-30	R-10
IV.*	15%	0.40	0.20	R-38	R-30	R-19	R-19	R-10	R-30	R-10
V.	18%	0.39	0.20	R-38	R-30	R-21	R-21	R-10	R-30	R-10
VI.	21%	0.36	0.20	R-38	R-30	R-21	R-21	R-10	R-30	R-10
VII. ⁷	25%	0.32 ⁷	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-10	R-30	R-10
VIII. ⁷	30%	0.29 ⁷	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-10	R-30	R-10

* Reference Case

- 1 Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- 2 Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.
- 3 Requirement applicable only to single rafter or joist vaulted ceilings.
- 4 Below grade walls shall be insulated either on the exterior to a minimum level of R-10, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See Section 602.2.
- 5 Floors over crawl spaces or exposed to ambient air conditions.
- 6 Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See Section 602.4.
- 7 The following options shall be applicable to buildings less than three stories: 0.35 maximum for glazing areas of 25% or less; 0.32 maximum for glazing areas of 30% or less.
- 8 This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.
- 9 Doors, including all fire doors, shall be assigned default U-values from Table 10-6C or 10-6D.

PERMANENT

AMENDATORY SECTION (Amending WSR 94-05-059, filed 2/10/94, effective 4/1/94)

WAC 51-11-0626 Table 6-2.

**TABLE 6-2
PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 1 • HEATING BY OTHER FUELS**

Option	HVAC ⁹ Equip. Effie.	Glazing % Floor Area	Glazing U-Value	Doors ¹¹ U-Value	Ceiling ²	Vaulted Ceiling ³	Wall Above Grade	Wall ⁴ int ⁴ Below Grade	Wall ⁴ ext ⁴ Below Grade	Floor ⁵	Slab ⁶ on Grade
I.	Med.	10%	0.70	0.40	R-30	R-30	R-15	R-15	R-10	R-19	R-10
II.	Med.	12%	0.65 ¹⁰	0.40	R-30	R-30	R-15	R-15	R-10	R-19	R-10
III.	High	21%	0.75	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
IV.*	Med.	21%	0.65 ¹⁰	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
V.	Low	21%	0.60	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
VI. ⁷	Med.	25%	0.45 ⁷	0.40	R-38	R-30	R-19	R-19	R-10	R-25	R-10
VII. ⁷	Med.	30%	0.40 ⁷	0.40	R-30	R-30	R-19	R-19	R-10	R-25	R-10

* Reference Case

- 1 Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 10%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- 2 Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.
- 3 Requirement applicable only to single rafter or joist vaulted ceilings.
- 4 Below-grade walls shall be insulated either on the exterior to a minimum level of R-10, or on the interior to the same level as walls above grade. Exterior insulation installed on below-grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See Section 602.2.
- 5 Floors over crawl spaces or exposed to ambient air conditions.
- 6 Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See Section 602.4.
- 7 The following options shall be applicable to buildings less than three stories: 0.50 maximum for glazing areas of 25% or less; 0.45 maximum for glazing areas of 30% or less.
- 8 This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.
- 9 Minimum HVAC Equipment efficiency requirement. 'Low' denotes an AFUE of 0.74. 'Med.' denotes an AFUE of 0.78. 'High' denotes an AFUE of 0.88. Minimum HVAC Equipment efficiency requirement for heat pumps. 'Low' denotes an HSPF of 6.35. 'Med' denotes an HSPF of 6.8. 'High' an HSPF of 7.7. Water and ground source heat pumps shall be considered as medium efficiency and have a minimum COP as required in Table 5-7.
- 10 Until December 31, 1994, an aluminum, double-pane window, excluding sliding glass doors, constructed with a minimum 7/16 inch air space between glazings shall be deemed to satisfy the glazing U value. The only labeling requirement for products using this exception shall be a description of the product, and a label stating: "This product is deemed to satisfy the other fuels path in the Washington State Energy Code."
- 11 Doors, including all fire doors, shall be assigned default U values from Table 10-6C or 10-6D.

PERMANENT

**TABLE 6-2
PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 1 • HEATING BY OTHER FUELS**

Option	HVAC ⁹ Equip. Effic.	Glazing % Floor Area	Glazing U-Value	Doors ¹⁰ U-Value	Ceiling ²	Vaulted Ceiling ³	Wall Above Grade	Wall• int ⁴ Below Grade	Wall• ext ⁴ Below Grade	Floor ⁵	Slab ⁶ on Grade
I.	Med.	10%	0.70	0.40	R-30	R-30	R-15	R-15	R-10	R-19	R-10
II.	Med.	12%	0.65	0.40	R-30	R-30	R-15	R-15	R-10	R-19	R-10
III.	High	21%	0.75	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
IV.*	Med.	21%	0.65	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
V.	Low	21%	0.60	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
VI. ⁷	Med.	25%	0.45 ⁷	0.40	R-38	R-30	R-19	R-19	R-10	R-25	R-10
VII. ⁷	Med.	30%	0.40 ⁷	0.40	R-30	R-30	R-19	R-19	R-10	R-25	R-10

* Reference Case

- 1 Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- 2 Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.
- 3 Requirement applicable only to single rafter or joist vaulted ceilings.
- 4 Below grade walls shall be insulated either on the exterior to a minimum level of R-10, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See Section 602.2.
- 5 Floors over crawl spaces or exposed to ambient air conditions.
- 6 Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See Section 602.4.
- 7 The following options shall be applicable to buildings less than three stories: 0.50 maximum for glazing areas of 25% or less; 0.45 maximum for glazing areas of 30% or less.
- 8 This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.
- 9 Minimum HVAC Equipment efficiency requirement. 'Low' denotes an AFUE of 0.74. 'Med.' denotes an AFUE of 0.78. 'High' denotes an AFUE of 0.88. Minimum HVAC Equipment efficiency requirement for heat pumps. 'Low' denotes an HSPF of 6.35. 'Med' denotes an HSPF of 6.8. 'High' an HSPF of 7.7. Water and ground source heat pumps shall be considered as medium efficiency and have a minimum COP as required in Table 5-7.
- 10 Doors, including all fire doors, shall be assigned default U-values from Table 10-6C or 10-6D.

PERMANENT

AMENDATORY SECTION (Amending WSR 94-05-059, filed 2/10/94, effective 4/1/94)

WAC 51-11-0627 Table 6-3.

**TABLE 6-3
PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 2 • HEATING BY ELECTRIC RESISTANCE**

Option	Glazing % Floor Area	Glazing U-Value	Doors ¹¹ U-value	Ceiling ²	Vaulted Ceiling ³	Wall Above Grade	Wall• int ⁴ Below Grade	Wall• ext ⁴ Below Grade	Floor ⁵	Slab ⁶ on Grade
I.	10%	0.38	0.20	R-38	R-30	R-21	R-21	R-12	R-30	R-10
II.	12%	0.40 ¹⁰	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-12	R-25	R-10
III. [*]	15%	0.40 ¹⁰	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
IV.	18%	0.38	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
V. ⁷	21%	0.35	0.20	R-38 ^{Adv}	R-38	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
VI. ⁷	25%	0.30 ⁷	0.20	R-49 ^{Adv}	R-38	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
VII. ⁷	30%	0.28 ⁷	0.20	R-60 ^{Adv}	R-38	R-21+R-7.5 ⁹	R-21	R-12	R-30	R-10

* Reference Case

- 1 Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- 2 Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.
- 3 Requirement applicable only to single rafter or joist vaulted ceilings.
- 4 Below grade walls shall be insulated either on the exterior to a minimum level of R-10, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See Section 602.2.
- 5 Floors over crawl spaces or exposed to ambient air conditions.
- 6 Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See Section 602.4.
- 7 The following options shall be applicable to buildings less than three stories: 0.33 maximum for glazing areas of 25% or less; 0.31 maximum for glazing areas of 30% or less.
- 8 This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.
- 9 This wall insulation requirement denotes R-21 wall cavity insulation plus R-7.5 foam sheathing.
- 10 Until December 31, 1994, a vinyl or wood double pane window, excluding sliding glass doors, constructed with a minimum 1/4 inch air space between glazings, and either a low-e glazing or an argon fill of no less than 90%, shall be deemed to satisfy the glazing U-value. The only labeling requirement for products using this exception shall be a description of the product, and a label stating: "This product is deemed to satisfy the electric resistance path in the Washington State Energy Code."
- 11 Doors, including all fire doors, shall be assigned default U-values from Table 10-6C or 10-6D.

PERMANENT

TABLE 6-3
PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 2 • HEATING BY ELECTRIC RESISTANCE

Option	Glazing % Floor Area	Glazing U-Value	Doors ¹⁰ U-value	Ceiling ²	Vaulted Ceiling ³	Wall Above Grade	Wall• int ⁴ Below Grade	Wall• ext ⁴ Below Grade	Floor ⁵	Slab ⁶ on Grade
I.	10%	0.38	0.20	R-38	R-30	R-21	R-21	R-12	R-30	R-10
II.	12%	0.40	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-12	R-25	R-10
III.*	15%	0.40	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
IV.	18%	0.38	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
V. ⁷	21%	0.35	0.20	R-38 _{Adv}	R-38	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
VI. ⁷	25%	0.30 ⁷	0.20	R-49 _{Adv}	R-38	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
VII. ⁷	30%	0.28 ⁷	0.20	R-60 _{Adv}	R-38	R-21+R-7.5 ⁹	R-21	R-12	R-30	R-10

* Reference Case

- 1 Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- 2 Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.
- 3 Requirement applicable only to single rafter or joist vaulted ceilings.
- 4 Below grade walls shall be insulated either on the exterior to a minimum level of R-10, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See Section 602.2.
- 5 Floors over crawl spaces or exposed to ambient air conditions.
- 6 Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See Section 602.4.
- 7 The following options shall be applicable to buildings less than three stories: 0.33 maximum for glazing areas of 25% or less; 0.31 maximum for glazing areas of 30% or less.
- 8 This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.
- 9 This wall insulation requirement denotes R-21 wall cavity insulation plus R-7.5 foam sheathing.
- 10 Doors, including all fire doors, shall be assigned default U-values from Table 10-6C or 10-6D.

AMENDATORY SECTION (Amending WSR 94-05-059, filed 2/10/94, effective 4/1/94)

WAC 51-11-0628 Table 6-4.

**TABLE 6-4
PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 2 • HEATING BY OTHER FUELS**

Option	HVAC ⁹ Equip. Effie.	Glazing % Floor Area	Glazing U-Value	Doors ¹¹ U-Value	Ceiling ²	Vaulted Ceiling ³	Wall Above Grade	Wall int ⁴ Below Grade	Wall ext ⁴ Below Grade	Floor ⁵	Slab ⁶ on Grade
I.	Med.	10%	0.70	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
II.	Med.	12%	0.65 ¹⁰	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
III.	High	17%	0.65 ¹⁰	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
IV.*	Med.	17%	0.60	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
V.	Low	17%	0.50	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
VI.	Med.	21%	0.50	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
VII.	Med.	25%	0.40 ⁷	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
VIII.	Med.	30%	0.40 ⁷	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10

* - Reference Case

- 1 Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 10%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- 2 Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.
- 3 Requirement applicable only to single rafter or joist vaulted ceilings.
- 4 Below grade walls shall be insulated either on the exterior to a minimum level of R-10, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See Section 602.2.
- 5 Floors over crawl spaces or exposed to ambient air conditions.
- 6 Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See Section 602.4.
- 7 The following options shall be applicable to buildings less than three stories: 0.45 maximum for glazing areas of 25% or less; 0.40 maximum for glazing areas of 30% or less.
- 8 This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.
- 9 Minimum HVAC Equipment efficiency requirement. 'Low' denotes an AFUE of 0.74. 'Med.' denotes an AFUE of 0.78. 'High' denotes an AFUE of 0.88.
- 10 Until December 31, 1994, an aluminum, double pane window, excluding sliding glass doors, constructed with a minimum 7/16 inch air space between glazings shall be deemed to satisfy the glazing U value. The only labeling requirement for products using this exception shall be a description of the product, and a label stating: "This product is deemed to satisfy the other fuels path in the Washington State Energy Code."
- 11 Doors, including all fire doors, shall be assigned default U values from Table 10-6C or 10-6D.

PERMANENT

**TABLE 6-4
PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 2 • HEATING BY OTHER FUELS**

Option	HVAC ⁹ Equip. Effic.	Glazing % Floor Area	Glazing U-Value	Doors ¹⁰ U-Value	Ceiling ²	Vaulted Ceiling ³	Wall Above Grade	Wall• int ⁴ Below Grade	Wall• ext ⁴ Below Grade	Floor ⁵	Slab ⁶ on Grade
I.	Med.	10%	0.70	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
II.	Med.	12%	0.65	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
III.	High	17%	0.65	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
IV.*	Med.	17%	0.60	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
V.	Low	17%	0.50	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
VI.	Med.	21%	0.50	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
VII.	Med.	25%	0.40 ⁷	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
VIII.	Med.	30%	0.40 ⁷	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10

* Reference Case

- 1 Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- 2 Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.
- 3 Requirement applicable only to single rafter or joist vaulted ceilings.
- 4 Below grade walls shall be insulated either on the exterior to a minimum level of R-10, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See Section 602.2.
- 5 Floors over crawl spaces or exposed to ambient air conditions.
- 6 Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See Section 602.4.
- 7 The following options shall be applicable to buildings less than three stories: 0.45 maximum for glazing areas of 25% or less; 0.40 maximum for glazing areas of 30% or less.
- 8 This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.
- 9 Minimum HVAC Equipment efficiency requirement. 'Low' denotes an AFUE of 0.74. 'Med.' denotes an AFUE of 0.78. 'High' denotes an AFUE of 0.88. Minimum HVAC Equipment efficiency requirement for heat pumps. 'Low' denotes an HSPF of 6.35. 'Med' denotes an HSPF of 6.8. 'High' an HSPF of 7.7. Water and ground source heat pumps shall be considered as medium efficiency and have a minimum COP as required in Table 5-7.
- 10 Doors, including all fire doors, shall be assigned default U-values from Table 10-6C or 10-6D.

PERMANENT

AMENDATORY SECTION (Amending WSR 94-05-059, filed 2/10/94, effective 4/1/94)

WAC 51-11-0629 Table 6-5.

**TABLE 6-5
LOG HOMES PRESCRIPTIVE REQUIREMENTS¹
HEATING BY ELECTRIC RESISTANCE**

Option	Average ² Log Thickness	Glazing % Floor Area	Glazing U-Value	Doors ¹⁰ U-Value	Ceiling ³	Vaulted ⁴ Ceiling	Floor ⁵	Slab ⁶ on Grade
Climate Zone 1								
I. ⁷	5.5"	15%	0.31 ⁹	0.14	R-60 Adv	R-38	R-38	R-10
II. ⁷	7.5"	15%	0.40 ⁸	0.20	R-60 Adv	R-38	R-30	R-10
III. ⁸	9.6"	15%	0.40 ⁸	0.20	R-38	R-30	R-30	R-10
Climate Zone 2								
IV. ⁷	6.7"	15%	0.31 ⁹	0.14	R-60 Adv	R-38	R-38	R-10
V. ⁷	8.7"	15%	0.40 ⁸	0.14	R-60 Adv	R-38	R-38	R-10
VI. ⁷	9.8"	15%	0.40 ⁸	0.20	R-60 Adv	R-38	R-30	R-10
VII. ⁷	10.5"	15%	0.40 ⁸	0.20	R-49 Adv	R-38	R-30	R-10
VIII. ⁸	13.5"	15%	0.40 ⁸	0.20	R-38	R-30	R-30	R-10

* Reference Case

- 1 For Group R Occupancy use Table 6-5 for only the portion of floor area using log/solid timber walls. Use Tables 6-1 to 6-4 for all other portions of the floor area. Minimum requirements are for each option listed. Interpolations between options is not permitted. Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- 2 Required minimum average log thickness.
- 3 'Adv' denotes Advanced Framing. Requirement applies to all ceilings except single rafter joist vaulted ceilings.
- 4 Requirement applicable only to single rafter joist vaulted ceilings.
- 5 Floors over crawl spaces or exposed to ambient air conditions.
- 6 Required slab perimeter insulation shall be water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications.
- 7 These options shall be applicable to buildings less than three stories.
- 8 Until December 31, 1994, a vinyl or wood double pane window, excluding sliding glass doors, constructed with a minimum 1/2 inch air space between glazings, and either a low e glazing or an argon fill of no less than 90%, shall be deemed to satisfy the glazing U value. The only labeling requirement for products using this exception shall be a description of the product, and a label stating: "This product is deemed to satisfy the electric resistance path in the Washington State Energy Code."
- 9 Until December 31, 1994, a vinyl or wood double pane window, excluding sliding glass doors, constructed with a minimum 1/2 inch air space between glazings and both a low e glazing and an argon fill of no less than 90%, shall be deemed to satisfy the glazing U value. The only labeling requirement for products using this exception shall be a description of the product, and a label stating: "This product is deemed to satisfy either the electric resistance path or the other fuels path for log homes in the Washington State Energy Code."
- 10 Doors, including all fire doors, shall be assigned default U values from Table 10-6C or 10-6D.

PERMANENT

**TABLE 6-5
LOG HOMES PRESCRIPTIVE REQUIREMENTS¹
HEATING BY ELECTRIC RESISTANCE**

Option	Average ² Log Thickness	Glazing % Floor Area	Glazing U-Value	Doors ⁸ U-Value	Ceiling ³	Vaulted ⁴ Ceiling	Floor ⁵	Slab ⁶ on Grade
Climate Zone 1								
I. ⁷	5.5"	15%	0.31	0.14	R-60 Adv	R-38	R-38	R-10
II. ⁷	7.5"	15%	0.40	0.20	R-60 Adv	R-38	R-30	R-10
III.*	9.6"	15%	0.40	0.20	R-38	R-30	R-30	R-10
Climate Zone 2								
IV. ⁷	6.7"	15%	0.31	0.14	R-60 Adv	R-38	R-38	R-10
V. ⁷	8.7"	15%	0.40	0.14	R-60 Adv	R-38	R-38	R-10
VI. ⁷	9.8"	15%	0.40	0.20	R-60 Adv	R-38	R-30	R-10
VII. ⁷	10.5"	15%	0.40	0.20	R-49 Adv	R-38	R-30	R-10
VIII.*	13.5"	15%	0.40	0.20	R-38	R-30	R-30	R-10

* Reference Case

- 1 For Group R Occupancy use Table 6-5 for only the portion of floor area using log/solid timber walls. Use Tables 6-1 to 6-4 for all other portions of the floor area. Minimum requirements are for each option listed. Interpolations between options is not permitted. Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- 2 Required minimum average log thickness.
- 3 'Adv' denotes Advanced Framing. Requirement applies to all ceilings except single rafter joist vaulted ceilings.
- 4 Requirement applicable only to single rafter joist vaulted ceilings.
- 5 Floors over crawl spaces or exposed to ambient air conditions.
- 6 Required slab perimeter insulation shall be water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications.
- 7 These options shall be applicable to buildings less than three stories.
- 8 Doors, including all fire doors, shall be assigned default U-values from Table 10-6C or 10-6D.

PERMANENT

AMENDATORY SECTION (Amending WSR 94-05-059, filed 2/10/94, effective 4/1/94)

WAC 51-11-0630 Table 6-6.

**TABLE 6-6
LOG HOMES PRESCRIPTIVE REQUIREMENTS¹
HEATING BY OTHER FUELS**

Option	Average ² Log Thickness	Glazing-% Floor-Area	Glazing U-Value	Doors ¹¹ U-Value	Ceiling ³	Vaulted ⁴ Ceiling	Floor ⁵	Slab ⁶ on Grade
Climate Zone 1								
I. ⁷	3.5"	21%	0.40	0.39	R-49 Adv	R-38	R-30	R-10
II.	4.4"	21%	0.40	0.40	R-38	R-30	R-19	R-10
III.	5.2"	21%	0.50	0.40	R-38	R-30	R-19	R-10
IV.	6.5"	21%	0.60	0.40	R-38	R-30	R-19	R-10
V.	7.0"	21%	0.60	0.40	R-38	R-30	R-19	R-10
VI.*	8.2"	21%	0.65 ⁹	0.40	R-38	R-30	R-19	R-10
Climate Zone 2								
VII. ⁷	3.5"	17%	0.31 ¹⁰	0.14	R-60 Adv	R-38	R-38	R-10
VIII. ^{7,8}	3.5"	17%	0.40	0.40	R-60 Adv	R-38	R-30	R-10
IX. ⁷	4.6"	17%	0.40	0.40	R-60 Adv	R-38	R-30	R-10
X.	5.4"	17%	0.40	0.40	R-38	R-30	R-30	R-10
XI.	6.8"	17%	0.50	0.40	R-38	R-30	R-30	R-10
XII.*	9.0"	17%	0.60	0.40	R-38	R-30	R-30	R-10

* Reference Case

- 1 For Group R Occupancy use Table 6-6 for only the portion of floor area using log/solid timber walls. Use Tables 6-1 to 6-4 for all other portions of the floor area. Minimum requirements are for each option listed. Interpolations between options is not permitted. Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- 2 Required minimum average log thickness.
- 3 'Adv' denotes Advanced Framing. Requirement applies to all ceilings except single rafter joist vaulted ceilings.
- 4 Requirement applicable only to single rafter joist vaulted ceilings.
- 5 Floors over crawl spaces or exposed to ambient air conditions.
- 6 Required slab perimeter insulation shall be water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications.
- 7 These options shall be applicable to buildings less than three stories.
- 8 For this option, minimum HVAC system efficiency is an AFUE of 0.88.
- 9 Until December 31, 1994, an aluminum, double pane window, excluding sliding glass doors, constructed with a minimum 7/16 inch air space between glazings shall be deemed to satisfy the glazing U value. The only labeling requirement for products using this exception shall be a description of the product, and a label stating: "This product is deemed to satisfy the other fuels path in the Washington State Energy Code."
- 10 Until December 31, 1994, a vinyl or wood double pane window, excluding sliding glass doors, constructed with a minimum 1/2 inch air space between glazings and both a low e glazing and an argon fill of no less than 90%, shall be deemed to satisfy the glazing U value. The only labeling requirement for products using this exception shall be a description of the product, and a label stating: "This product is deemed to satisfy either the electric resistance path or the other fuels path for log homes in the Washington State Energy Code."
- 11 Doors, including all fire doors, shall be assigned default U values from Table 10-6C or 10-6D.

PERMANENT

**TABLE 6-6
LOG HOMES PRESCRIPTIVE REQUIREMENTS¹
HEATING BY OTHER FUELS**

Climate Zone 1

Option	HVAC ⁹ Equip. Effic.	Glazing % Floor Area	Glazing U-Value	Doors ¹⁰ U-Value	Ceiling ²	Vaulted Ceiling ³	Wall Above Grade ¹¹	Wall• int ⁴ Below Grade	Wall• ext ⁴ Below Grade	Floor ⁵	Slab ⁶ on Grade
I.	Med.	10%	0.70	0.40	R-30	R-30	R-15	R-15	R-10	R-19	R-10
II.	Med.	12%	0.65	0.40	R-30	R-30	R-15	R-15	R-10	R-19	R-10
III.	High	21%	0.75	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
IV.*	Med.	21%	0.65	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
V.	Low	21%	0.60	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
VI. ⁷	Med.	25%	0.45 ⁷	0.40	R-38	R-30	R-19	R-19	R-10	R-25	R-10
VII. ⁷	Med.	30%	0.40 ⁷	0.40	R-30	R-30	R-19	R-19	R-10	R-25	R-10

Climate Zone 2

Option	HVAC ⁹ Equip. Effic.	Glazing % Floor Area	Glazing U-Value	Doors ¹⁰ U-Value	Ceiling ²	Vaulted Ceiling ³	Wall Above Grade ¹¹	Wall• int ⁴ Below Grade	Wall• ext ⁴ Below Grade	Floor ⁵	Slab ⁶ on Grade
I.	Med.	10%	0.70	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
II.	Med.	12%	0.65	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
III.	High	17%	0.65	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
IV.*	Med.	17%	0.60	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
V.	Low	17%	0.50	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
VI.	Med.	21%	0.50	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
VII.	Med.	25%	0.40 ⁸	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
VIII.	Med.	30%	0.40 ⁸	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10

* Reference Case

- Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.
- Requirement applicable only to single rafter or joist vaulted ceilings.
- Below grade walls shall be insulated either on the exterior to a minimum level of R-10, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See Section 602.2.
- Floors over crawl spaces or exposed to ambient air conditions.
- Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See Section 602.4.
- The following options shall be applicable to buildings less than three stories: 0.50 maximum for glazing areas of 25% or less; 0.45 maximum for glazing areas of 30% or less.
- The following options shall be applicable to buildings less than three stories: 0.45 maximum for glazing areas of 25% or less; 0.40 maximum for glazing areas of 30% or less.
- Minimum HVAC Equipment efficiency requirement. 'Low' denotes an AFUE of 0.74. 'Med.' denotes an AFUE of 0.78. 'High' denotes an AFUE of 0.88. Minimum HVAC Equipment efficiency requirement for heat pumps. 'Low' denotes an HSPF of 6.35. 'Med' denotes an HSPF of 6.8. 'High' an HSPF of 7.7. Water and ground source heat pumps shall be considered as medium efficiency and have a minimum COP as required in Table 5-7.
- Doors, including all fire doors, shall be assigned default U-values from Table 10-6C or 10-6D.
- Log and solid timber walls with a minimum average thickness of 3.5" are exempt from this insulation requirement.

AMENDATORY SECTION (Amending WSR 91-01-112, filed 12/19/90, effective 7/1/91)

WAC 51-11-0900 Section 0900—Prescriptive heating system sizing. When using the prescriptive approach in Chapter 6, if approved by the building official, design heat load calculations are not required to show compliance to this Code if the heating system installed is equal to or less than the following:

Climate Zone ((F)) <u>1</u>	
Electric Resistance	21 ((btu/hr • ft²)) <u>Btu/h•ft²</u>
Electric Resistance (Forced Air)	24 ((btu/hr • ft²)) <u>Btu/h•ft²</u>
Other Fuels (Forced Air)	27 ((btu/hr • ft²)) <u>Btu/h•ft²</u>
Climate Zone ((H)) <u>2</u>	
Electric Resistance	29 ((btu/hr • ft²)) <u>Btu/h•ft²</u>
Electric Resistance (Forced Air)	32 ((btu/hr • ft²)) <u>Btu/h•ft²</u>
Other Fuels (Forced Air)	39 ((btu/hr • ft²)) <u>Btu/h•ft²</u>

Example: A 1500 ft² house in Zone ((F)) 1, heated with gas, would not have to submit a design heat load if the proposed furnace is 40,500 ~~((BTU))~~ Btu or less.

$$1500 \times 27 = 40,500$$

Disclaimer: All heating systems shall be designed and installed in accordance with Uniform Building Code Section ~~((424))~~ 310.11.

AMENDATORY SECTION (Amending WSR 93-21-052, filed 10/18/93, effective 4/1/94)

WAC 51-11-1143 Inspections.

1143.1 General: All construction or work for which a permit is required shall be subject to inspection by the building official and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. No work shall be done on any part of the building or structure beyond the point indicated in each inspection without first obtaining the approval of the building official.

1143.2 Required Inspections: The building official, upon notification, shall make the inspection required in this Section, in addition to or as part of those inspections required in Section ~~((305(e)))~~ 108.5 of the Uniform Building Code. Inspections may be conducted by special inspection pursuant to Section ~~((306(b) and 306(e)))~~ 1701 of the Uniform Building Code. Where applicable, inspections shall include at least:

1143.2.1 Envelope

a. Wall Insulation Inspection: To be made after all wall insulation and air vapor retarder sheet or film materials are in place, but before any wall covering is placed.

b. Glazing Inspection: To be made after glazing materials are installed in the building.

c. Exterior Roofing Insulation: To be made after the installation of the roof insulation, but before concealment.

d. Slab/Floor Insulation: To be made after the installation of the slab/floor insulation, but before concealment.

1143.2.2 Mechanical

a. Mechanical Equipment Efficiency and Economizer: To be made after all equipment and controls required by this Code are installed and prior to the concealment of such equipment or controls.

b. Mechanical Pipe and Duct Insulation: To be made after all pipe and duct insulation is in place, but before concealment.

1143.2.3 Lighting and Motors

a. Lighting Equipment and Controls: To be made after the installation of all lighting equipment and controls required by this Code, but before concealment of the lighting equipment.

b. Motor Inspections: To be made after installation of all equipment covered by this Code, but ~~((prior to))~~ before concealment.

1143.3 Re-inspection: The building official may require a structure to be re-inspected. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

**WSR 95-01-127
PERMANENT RULES
BUILDING CODE COUNCIL**

[Filed December 21, 1994, 11:37 a.m., effective June 30, 1995]

Date of Adoption: November 18, 1994.

Purpose: To adopt revisions to chapter 51-04 WAC in order to modify the council's policies and procedures for consideration of statewide amendments to the state building codes consistent with adoption of revisions to those codes.

Citation of Existing Rules Affected by this Order: Amending WAC 51-04-030.

Statutory Authority for Adoption: Chapter 19.27 RCW.

Pursuant to notice filed as WSR 94-16-114 on August 2, 1994.

Effective Date of Rule: June 30, 1995.

December 21, 1994
Gene Colin
Chair

AMENDATORY SECTION (Amending WSR 90-02-108, filed 1/3/90, effective 2/3/90)

WAC 51-04-030 Policies for consideration of proposed local government residential amendments. All amendments to the building code, as adopted by cities and counties for implementation and enforcement in their respective jurisdictions, that apply to single and multifamily buildings as defined by RCW 19.27.015, shall be submitted to the council for approval.

The council shall consider and approve or deny all proposed local government residential amendments to the building code within ninety days of receipt of a proposal,

PERMANENT

unless alternative scheduling is agreed to by the council and the proposing entity.

All local government residential amendments to the building code that require council approval shall be submitted in writing to the council, after the city or county legislative body has adopted the amendment and prior to implementation and enforcement of the amendment by the local jurisdiction.

It is the policy of the council to encourage joint proposals for local government residential amendments from more than one jurisdiction. Local government residential amendments submitted to the council for approval should be based on:

- (1) Climatic conditions that are unique to the jurisdiction.
- (2) Geologic or seismic conditions that are unique to the jurisdiction.
- (3) Environmental impacts such as noise, dust, etc., that are unique to the jurisdiction.
- (4) Life, health, or safety conditions that are unique to the local jurisdiction.
- (5) Other special conditions that are unique to the jurisdiction.

EXCEPTIONS: Appendices or portions thereof that have the effect of amending the uniform codes, that do not conflict with the building code for single and multifamily residential buildings as defined by RCW 19.27.015, may be adopted by local jurisdictions without council review or approval.

~~((Local government residential amendments to Chapters 1, 2, or 3 of the uniform building code need not be submitted to the council for review and approval provided that such amendments do not diminish the construction requirements of those chapters.))~~ Local government residential amendments to:

- (1) Chapter 1, 17, or 34 of the Uniform Building Code;
- (2) Chapter 1 of the Uniform Mechanical Code;
- (3) Article 1, 2, 3 or 4 of the Uniform Fire Code;
- (4) Part 1 of the Uniform Plumbing Code;
- (5) Chapter 1 or 11 of the State Energy Code; or
- (6) Chapter 1 of the Ventilation and Indoor Air Quality Code

need not be submitted to the Council for review and approval provided that such amendments do not diminish the construction requirements of those chapters.

Those portions of the supplement or accumulative supplements that affect single and multifamily residential buildings as defined by RCW 19.27.015 that are not adopted by the council shall be submitted to the council for consideration as local government residential amendments to the building code.

Local government residential amendments shall conform to the limitations provided in RCW 19.27.040.

WSR 95-01-128
PERMANENT RULES
BUILDING CODE COUNCIL

[Filed December 21, 1994, 11:38 a.m., effective June 30, 1995]

Date of Adoption: November 18, 1994.

Purpose: To adopt revised list of counties with a high risk of radon, revised references to the uniform codes and delete expired radon monitoring requirements.

Citation of Existing Rules Affected by this Order: Amending WAC 51-13-106, 51-13-201, 51-13-302, 51-13-304, 51-13-402, 51-13-501, and 51-13-502.

Statutory Authority for Adoption: RCW 19.27.190.

Pursuant to notice filed as WSR 94-16-117 on August 2, 1994.

Effective Date of Rule: June 30, 1995.

December 21, 1994

Gene Colin

Chair

AMENDATORY SECTION (Amending WSR 91-01-102, filed 12/18/90, effective 7/1/91)

WAC 51-13-106 Conflicts with other codes.

106.1 Conflicts with Other Codes: In addition to the requirements of this Code, buildings must conform to the provisions of the State Building Code (Chapter 19.27 RCW and Chapters ~~((51-16 WAC))~~ 51-30, 51-32, 51-34 and 51-26 Washington Administrative Code). In case of conflicts between the Uniform Building, Uniform Plumbing, Uniform Mechanical, and Uniform Fire Codes as adopted and amended in Chapters ~~((51-16))~~ 51-30, 51-32, 51-34 and 51-26 Washington Administrative Code, the provisions of Chapter 51-13 shall govern. This Code is not intended to abridge any safety or health requirements under any other applicable codes or ordinances.

Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Wherever in this Code reference is made to the appendix, the provisions of the appendix shall not apply unless specifically adopted.

106.2 Authority: Local legislative authorities are authorized and directed to enforce this Code. Local legislative authorities are authorized to promulgate, adopt, and issue those rules and regulations necessary for the effective and efficient administration of this Code.

AMENDATORY SECTION (Amending WSR 91-01-102, filed 12/18/90, effective 7/1/91)

WAC 51-13-201 General.

201.1 General: For the purposes of this Code, certain terms, phrases, words, and their derivatives shall be construed as specified in this section. Words used is the singular include the plural and the plural, the singular. Words used in the masculine gender include the feminine and feminine, the masculine.

Where terms are not defined in this section, the definitions shall be taken from Chapter ~~((4))~~ 2 of the Uniform Building Code.

PERMANENT

Where terms are not defined in either this section or Chapter ((4)) 2 of the Uniform Building Code, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third International Dictionary of the English Language, Unabridged, copyrighted ((1981)) 1986, shall be considered as providing ordinarily accepted meanings.

AMENDATORY SECTION (Amending WSR 93-02-056, filed 1/6/93, effective 7/1/93)

WAC 51-13-302 Minimum ventilation criteria for all Group R occupancies four stories and less.

302.1 General: This section shall apply to all Group R occupancies ((4)) four (4) stories ((~~four~~)) and less as defined by the Washington State Building Code. Residential structures greater than ((4)) four (4) stories in height shall comply with Section 304, for outdoor air supply requirements. For source specific ventilation requirements, see Section 302.2.1. Compliance with this section shall be demonstrated through engineering calculations or performance testing. Documentation of calculations shall be submitted to the building official where required. Performance testing shall be conducted in accordance with recognized test methods.

302.1.2 Testing: At the discretion of the building official, flow testing may be required to verify that the mechanical system(s) satisfies the requirements of this section. Flow testing may be performed using flow hoods measuring at the intake or exhaust points of the system, in-line pitot tube, or pitot-traverse type measurement systems in the duct, short term tracer gas measurements, or other means approved by the building official.

302.2 Minimum Ventilation Performance: Each dwelling unit or guest room shall be equipped with source specific and whole house ventilation systems designed and installed to satisfy the ventilation requirements of this chapter.

Exception: All public corridors shall meet the ventilation requirements in section ((1205-(e))) 1203.3 of the Uniform Building Code.

302.2.1 Source Specific Ventilation: Source specific exhaust ventilation shall be required in each kitchen, bathroom, water closet, laundry room, indoor swimming pool, spa, and other rooms where excess water vapor or cooking odor is produced.

The minimum source specific ventilation effective exhaust capacity shall be not less than levels specified in Table 3-1.

302.2.2 Whole House Ventilation Systems: Each dwelling unit shall be equipped with a whole house ventilation system which shall be capable of providing at least 0.35 air changes per hour, but not less than fifteen cubic feet per minute per bedroom plus an additional fifteen cubic feet per minute. Whole house ventilation systems shall be designed to limit ventilation to a level no greater than 0.5 air changes per hour under normal operation conditions. Whole house ventilation systems shall supply outdoor air to all habitable rooms through individual outdoor air inlets, forced-air

heating system, ducting or equivalent means. Doors and operable lites in windows are deemed not to meet the outdoor air supply intake requirements.

Exception: For dwelling units of no more than 1,400 square feet, the maximum ventilation rate shall be 0.65 air changes per hour.

302.3 Controls: All ventilation system controls shall be readily accessible. Controls for whole house ventilation systems shall be capable of operating the ventilation system without energizing other energy-consuming appliances.

Exception: Continuously operated whole house ventilation systems switch shall not be readily accessible by the occupant.

302.3.1 Source Specific Ventilation Systems: Source specific ventilation systems shall be controlled by manual switches, dehumidistats, timers, or other approved means.

302.3.2 Intermittently Operated Whole House Ventilation Systems: The intermittently operated whole house ventilation systems shall be constructed to have the capability for continuous operation, and shall have a manual control and an automatic control, such as a clock timer. At the time of final inspection, the automatic control timer shall be set to operate the whole house fan for a minimum of eight hours a day.

302.4 Noise: Whole house fans located four feet or less from the interior grille shall have a sone rating of 1.5 or less measured at 0.1 inches water gauge. Remotely mounted fans shall be acoustically isolated from the structural elements of the building and from attached duct work using insulated flexible duct or other approved material.

Exception: Whole house ventilation systems which are integrated with forced-air heating systems or heat-recovery ventilation systems are exempt from the sone rating requirements of this section.

302.5 Ventilation Ducts: All ducts shall terminate outside the building. Exhaust ducts in systems which are designed to operate intermittently shall be equipped with back-draft dampers. All exhaust ducts in unconditioned spaces shall be insulated to a minimum of R-4. All supply ducts in the conditioned space shall be insulated to a minimum of R-4.

302.6 Outdoor Air: A mechanical system shall supply outdoor air as required in section 302.2.2. The mechanical system may consist of exhaust fans, supply fans, or both.

302.6.1 Outdoor Air Inlets: Inlets shall be screened or otherwise protected from entry by insects, leaves, or other material. Outdoor air inlets shall be located so as not to take air from the following areas:

- a) Closer than ten feet from an appliance vent outlet, unless such vent outlet is three feet above the outdoor air inlet.
- b) Where it will pick up objectionable odors, fumes, or flammable vapors.
- c) A hazardous or unsanitary location.
- d) A room or space having any fuel-burning appliances therein.

- e) Closer than ten feet from a vent opening of a plumbing drainage system unless the vent opening is at least three feet above the air inlet.
- f) Attic, crawl spaces, garages.

302.6.2 Individual Room Outdoor Air Inlets: Individual room outdoor air inlets shall:

- a) have controllable and secure openings;
- b) be sleeved or otherwise designed so as not to compromise the thermal properties of the wall or window in which they are placed;
- c) provide not less than four square inches of net free area of opening for each habitable space. Any inlet or combination of inlets which provide 10 ((CFM)) cfm at 10 Pascals as determined by the Home Ventilating Institute Air Flow Test Standard are deemed equivalent to four square inches net free area.

302.6.3 Ventilation Integrated with Forced-Air Systems: The outdoor air connection to the return air stream shall be located upstream of the forced-air system blower and shall not be connected directly into a furnace cabinet to prevent thermal shock to the heat exchanger.

302.6.4 Distribution: Outdoor air shall be distributed to each habitable room by individual inlets, separate duct systems, or a forced-air system. Where outdoor air supplies are separated from exhaust points by doors, provisions shall be made to ensure air flow by installation of distribution ducts, undercutting doors, installation of grilles, transoms, or similar means where permitted by the Uniform Building Code. Doors shall be undercut to a minimum of one-half inch above the surface of the finish floor covering.

AMENDATORY SECTION (Amending WSR 93-02-056, filed 1/6/93, effective 7/1/93)

WAC 51-13-304 Mechanical ventilation criteria and minimum ventilation performance for all other occupancies not covered in sections 302 and 303.

304.1 Ventilation: The minimum requirements for operable area to provide natural ventilation are specified in the Uniform Building Code (UBC) as adopted by the state of Washington.

Where a mechanical ventilation system is installed, the mechanical ventilation system shall be capable of supplying ventilation air to each zone with the minimum outdoor air quantities specified in Table 3-4.

Exception: Where occupancy density is known and documented in the plans, the outside air rate may be based on the design occupant density. Under no circumstance shall the occupancies used result in outside air less than one-half that resulting from application of Table 3-4 estimated maximum occupancy values.

The outdoor air shall be ducted in a fully enclosed path directly to every air handling unit in each zone not provided with sufficient operable area for natural ventilation.

Exception: Ducts may terminate within 12 inches of the intake to ((a)) an HVAC unit provided they are physically fastened so that the outside air duct is directed into the unit intake.

In all parking garages, other than open parking garages as defined in UBC ((709-(b))) 311.9, used for storing or

handling of automobiles operating under their own power and on all loading platforms in bus terminals, ventilation shall be provided at 1.5 cfm per square foot of gross floor area. The building official may approve an alternate ventilation system designed to exhaust a minimum fourteen thousand cfm for each operating vehicle. Such system shall be based on the anticipated instantaneous movement rate of vehicles but not less than 2.5 percent (or one vehicle) of the garage capacity. Automatic carbon monoxide sensing systems may be submitted for approval.

In all buildings used for the repair of automobiles, each repair stall shall be equipped with an exhaust extension duct, extending to the outside of the building, which if over ten feet in length, shall mechanically exhaust three hundred cfm. Connecting offices and waiting rooms shall be supplied with conditioned air under positive pressure.

Combustion air requirements shall conform to the requirements of Chapter ((6)) 7 of the UMC.

Mechanical refrigerating equipment and rooms storing ((refrigerates)) refrigerants shall conform to the requirements of Chapter ((45)) 11 of the UMC.

((MINIMUM SOURCE SPECIFIC VENTILATION CAPACITY REQUIREMENTS

TABLE 3-1

	Bathrooms	Kitchens
Intermittently operating	50 cfm	100 cfm
Continuous operation	20 cfm	25 cfm

TABLE 3-1

Minimum Source Specific Ventilation Capacity Requirements

	Bathrooms	Kitchens
Intermittently operating	50 cfm	100 cfm
Continuous operation	20 cfm	25 cfm

TABLE 3-2

Whole House Ventilation Flow Requirements¹

Bedrooms	CFM	
	Minimum	Maximum
2 or less	50	75
3	80	120
4	100	150
5	120	180

- 1. This table shall not be used for dwelling units containing more than 5 bedrooms.

PERMANENT

**TABLE 3-3
Prescriptive Exhaust Duct Sizing**

Fan Tested CFM @0.25 W.G.	Minimum Flex Diameter	Maximum Length Feet	Minimum Smooth Diameter	Maximum Length Feet	Maximum Elbows ¹
50	4 inch	25	4 inch	70	3
50	5 inch	90	5 inch	100	3
50	6 inch	No Limit	6 inch	No Limit	3
80	4 inch ²	NA	4 inch	20	3
80	5 inch	15	5 inch	100	3
80	6 inch	90	6 inch	No Limit	3
100	5 inch ²	NA	5 inch	50	3
100	6 inch	45	6 inch	No Limit	3
125	6 inch	15	6 inch	No Limit	3
125	7 inch	70	7 inch	No Limit	3

1. For each additional elbow subtract 10 feet from length.
2. Flex ducts of this diameter are not permitted with fans of this size.

PERMANENT

TABLE 3-4
Outdoor Air Requirements for Ventilation¹
Occupancies not Subject to Sections 302 and 303

Application	Estimated Maximum ² Occupancy P/1000 ft ² or 100 m ²	Outdoor Air Requirements cfm/person
Dry Cleaners, Laundries³		
Commercial laundry	10	25
Commercial dry cleaner	30	30
Storage, pick up	30	35
Coin-operated laundries	20	15
Coin-operated dry cleaner	20	15
Dwelling Units In Buildings Greater Than Four Stories or Attached to I-Occupancy Facilities		
Bedrooms & living areas ²⁴		15
Food and Beverage Service		
Dinning rooms	70	20
Cafeteria, fast food	100	20
Bars, cocktail lounges ⁴	100	30
Kitchens(cooking) ²³	20	15
Garages, Repair, Service Stations		
Enclosed parking garage ⁵		1.50 cfm/ft.sq.
Auto repair rooms		1.50 cfm/ft.sq.
Hotels, Motels, Resorts, Congregate Residences with More Than Four Stories⁶		
Bedrooms		30 cfm/room
Living Rooms		30 cfm/room
Bath ⁷		35 cfm/room
Lobbies	30	15
Conference rooms	50	20
Assembly rooms	120	15
Gambling casinos ⁴	120	30
Offices		
Office space ⁹	7	20
Reception area	60	15
Telecommunication centers and data entry areas	60	20
Conference rooms	50	20
Public Spaces		
Corridors and utilities		0.05 cfm/ft.sq.
Public restroom, cfm/wc or urinal ¹⁰		50
Lockers and dressing rooms		0.50 cfm/ft.sq.
Smoking lounge ¹¹	70	60
Elevators ¹²		1.0 cfm/ft.sq.

PERMANENT

TABLE 3-4 Cont.
Outdoor Air Requirements for Ventilation¹
Occupancies not Subject to Sections 302 and 303

Application	Estimated Maximum ² Occupancy P/1000 ft ² or 100 m ²	Outdoor Air Requirements cfm/person
Retail Stores, Sales Floors, and Show Room Floors		
Basement and street	30	0.30 cfm/ft.sq.
Upper floors	20	0.20 cfm/ft.sq.
Storage rooms	15	0.15 cfm/ft.sq.
Dressing rooms		0.20 cfm/ft.sq.
Malls and arcades	20	0.20 cfm/ft.sq.
Shipping and receiving	10	0.15 cfm/ft.sq.
Smoking lounge ¹¹	70	60
Warehouses	5	0.05 cfm/ft.sq.
Specialty Shops		
Barber	25	15
Beauty	25	25
Reducing salons	20	15
Florists ¹³	8	15
Clothiers, furniture		0.30 cfm/ft.sq.
Hardware, drugs, fabric	8	15
Supermarkets	8	15
Pet shops		1.00 cfm/ft.sq.
Sports and Amusement¹⁴		
Spectator areas	150	15
Game rooms	70	25
Ice arenas(playing areas)		0.50 cfm/ft.sq.
Swimming Pools(pool and deck area) ¹⁵		0.50 cfm/ft.sq.
Playing floor(gymnasium)	30	20
Ballrooms and discos	100	25
Bowling alleys(seating areas)	70	25
Theaters¹⁶		
Ticket booths	60	20
Lobbies	150	20
Auditorium	150	15
Stages, studios	70	15
Transportation¹⁷		
Waiting rooms	100	15
Platforms	100	15
Vehicles	150	15
Workrooms		
Meat processing ¹⁸	10	15
Photo studios	10	15
Darkrooms	10	0.50 cfm/ft.sq.
Pharmacy	20	15
Bank vaults	5	15
Duplicating, printing ¹⁹		0.50 cfm/ft.sq.

PERMANENT

TABLE 3-4
Outdoor Air Requirements for Ventilation¹
Occupancies not Subject to Sections 302 and 303

Application	Estimated Maximum ² Occupancy P/1000 ft ² or 100 m ²	Outdoor Air Requirements cfm/person
INSTITUTIONAL FACILITIES		
Education		
Classroom	50	15
Laboratories ²⁰	30	20
Training shop	30	20
Music rooms	50	15
Libraries	20	15
Locker rooms		0.50 cfm/ft.sq.
Corridors		0.10 cfm/ft.sq.
Auditoriums	150	15
Smoking lounges ¹¹	70	60
Hospitals, Nursing and Convalescent Homes		
Patient rooms ²¹	10	25
Medical procedure	20	15
Operating rooms	20	30
Recovery and ICU	20	15
Autopsy rooms ²²		0.50 cfm/ft.sq.
Physical Therapy	20	15
Correctional Facilities		
Cells	20	20
Dining halls	100	15
Guard station	40	15

PERMANENT

Table 3-4 Cont.
Outdoor Air Requirements for Ventilation¹
Occupancies not Subject to Sections 302 and 303

1. Derived from ASHRAE Standard 62-1989.
2. Net occupiable space.
3. Dry-cleaning process may require more air.
4. Supplementary smoke-removal equipment may be required.
5. Distribution among people must consider worker location and concentration of running engine; stands where engines are run must incorporate systems for positive engine exhaust withdrawal. Contaminant sensors may be used to control ventilation.
6. Independent of room size.
7. Installed capacity for intermittent use.
8. See also food and beverage service, merchandising, barber and beauty shops, garages.
9. Some office equipment may require local exhaust.
10. Mechanical exhaust with no recirculation is recommended.
11. Normally supplied by transfer air, local mechanical exhaust; with no recirculation recommended.
12. Normally supplied by transfer air.
13. Ventilation to optimize plant growth may dictate requirements.
14. When internal combustion engines are operated for maintenance of playing surfaces, increased ventilation rates may be required.
15. Higher values may be required for humidity control.
16. Special ventilation will be needed to eliminate special stage effects.
17. Ventilation within vehicles may require special considerations.
18. Spaces maintained at low temperatures(-10°F. to +50°F.) are not covered by these requirements unless the occupancy is continuous. Ventilation from adjoining spaces is permissible. When the occupancy is intermittent, infiltration will normally exceed the ventilation requirements.
19. Installed equipment must incorporate positive exhaust and control of undesirable contaminants.
20. Special contamination control systems may be required for processes or functions including laboratory animal occupancy.
21. Special requirements or codes and pressure relationships may determine minimum ventilation rates and filter efficiency. Procedures generating contaminants may require higher rates.
22. Air shall not be recirculated into other spaces.
23. Makeup air for hood exhaust may require more ventilating air.
24. Occupant loading shall be based on the number of bedrooms as follows: first bedroom, two persons; each additional bedroom, one person. Where higher occupant loadings are known, they shall be used.

TABLE 3-5
Prescriptive Integrated Forced Air Supply Duct Sizing

Number of Bedrooms	Minimum Smooth Duct Diameter	Minimum Flexible Duct Diameter	Maximum Length ¹	Maximum Number of Elbows ²
2 or less	6"	7"	20'	3
3	7"	8"	20'	3
4 or more	8"	9"	20'	3

1. For lengths over 20 feet increase duct diameter 1 inch.
2. For elbows numbering more than 3 increase duct diameter 1 inch.

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 WSR 93-02-056, filed 1/6/93, effective 7/1/93)

WAC 51-13-402 Solid fuel burning appliances and fireplaces.

402.1 General: Solid fuel burning appliances and fireplaces shall satisfy one of the following criteria.

402.2 Solid Fuel Burning Appliances: Solid fuel burning appliances shall be provided with the following:

- Tight fitting metal or ceramic glass doors.
1. A source from outside the structure of primary combustion air, connected to the appliance as per manufacturer's specification. The air inlet shall originate at a point below the fire box. The duct shall be 4 inches or greater in diameter, not exceed 20 feet in length, and be installed as per manufacturer's instructions;

or

- The appliance and manufacturer's recommended combustion air supply, as an installed unit, shall be certified by an independent testing laboratory to have passed Test No. 11 - Negative Pressure Test, Section 12.3, of ULC S627-M1984 "Space Heaters for Use with Solid Fuels," modified as follows:

A) Negative pressure of 8 Pascal shall be initially established with the chamber sealed and the air supply, if not directly connected to the appliance, closed off.

B) The air supply, if not directly connected to the appliance, shall then be opened.

C) The maximum allowable air exchange rate from chamber leakage and intentional air supply for the unit (appliance with combustion air supply) in the test chamber is 3.5 air changes per hour, or 28 cfm (cubic feet of air per minute), whichever is less.

Exception: Combustion air may be supplied to the room in which the solid fuel burning appliance is located in lieu of direct ducting, provided that one of the following conditions is met:

- 1) The solid fuel burning appliance is part of a central heating plant and installed in an unconditioned space in conformance with the Uniform Mechanical Code; or
- 2) The solid fuel burning appliance is installed in existing construction directly on a concrete floor or surrounded by masonry materials as in a fireplace.

The combustion air terminus shall be located as close to the solid fuel burning appliance as possible and shall be provided with a barometric damper or equivalent. The combustion air source shall be specified by the manufacturer or no less than four (4) inches in diameter or the equivalent in area or as approved.

402.3 Fireplaces: Fireplaces shall be provided with each of the following:

- Tightly fitting flue dampers, operated by a readily accessible manual or approved automatic control.

Exception: Fireplaces with gas logs shall be installed in accordance with the Uniform Mechanical Code (~~Chapter 803~~) section 901.

- An outside source for combustion air ducted into the firebox. The duct shall be at least six (6) square inches, and shall be provided with an operable outside air duct damper.

- Site built fireplaces shall have tight fitting glass or metal doors, or a flue draft induction fan, or as approved for minimizing back-drafting. Factory built fireplaces shall use doors listed for the installed appliance.

402.4 Masonry Heaters: Masonry heaters shall be approved by the department of ecology and shall contain both of the following:

- Primary combustion air ducted from the outside of the structure to the appliance.

- Tight fitting ceramic glass or metal doors. Flue damper, when provided, shall have an external control and

when in the closed position shall have a net free area of not less than five percent of the flue cross sectional area.

AMENDATORY SECTION (Amending WSR 91-01-102, filed 12/18/90, effective 7/1/91)

WAC 51-13-501 Scope.

501.1 General: The criteria of this chapter establishes minimum radon resistive construction requirements for all Group R Occupancies. These requirements are adopted pursuant to the ventilation requirements of Section 7, of Chapter 2 of the Session Laws of 1990.

501.2 Application: The requirements of this chapter shall be adopted and enforced by all jurisdictions of the state according to the following subsections:

501.2.1: All jurisdictions of the state shall comply with section 502.

501.2.2: Ferry, (~~Grant~~), Okanogan, Pend Oreille, Skamania, Spokane, and Stevens (~~and Wahkiakum~~) counties shall also comply with section 503.

AMENDATORY SECTION (Amending WSR 93-02-056, filed 1/6/93, effective 7/1/93)

WAC 51-13-502 State-wide radon requirements.

502.1(=) Crawlspace:

502.1.1 General: All crawlspaces shall comply with the requirements of this section.

502.1.2 Ventilation: All crawlspaces shall be ventilated as specified in section ((2516(e))) 2317.7 of the Washington State Uniform Building Code (chapter ((51-16)) 51-30 WAC).

If the installed ventilation in a crawlspace is less than one square foot for each three hundred square feet of crawlspace area, or if the crawlspace vents are equipped with operable louvers, a radon vent shall be installed to originate from a point between the ground cover and soil. The radon vent shall be installed in accordance with sections 503.2.6 and 503.2.7.

502.1.3 Crawlspace Plenum Systems: In crawlspace plenum systems used for providing supply air for an HVAC system, aggregate, a permanently sealed soil gas retarder membrane and a radon vent pipe shall be installed in accordance with section 503.2. Crawlspace shall not be used for return air plenums.

In addition, an operable radon vent fan shall be installed. The fan shall be located as specified in section 503.2.7. The fan shall be capable of providing at least one hundred cfm at one inch water column static pressure. The fan shall be controlled by a readily accessible manual switch. The switch shall be labeled "RADON VENT FAN."

~~((502.2 Radon monitoring~~

~~502.2.1 Three month etched track radon monitors: Beginning July 1, 1992, and ending June 30, 1995, at the time of final inspection, the building official shall deliver the following to each new Group R, Division 3 Occupancy and~~

~~to all ground floor dwelling units in new Group R, Division 1 apartment houses:~~

~~a) A three month etched track radon device that is listed on a current federal EPA radon measurement proficiency list, and includes prepaid fees for postage, test analysis and notification of the test results to the owner; and~~

~~b) Manufacturer's instructions for the device; and~~

~~e) Instructions prepared by the state building code council, posted in a conspicuous place.~~

~~The building official is not responsible for returning the radon measurement device to the testing laboratory. The owner of a new Group R, Division 3 Occupancy or Group R, Division 1 apartment houses shall be responsible for returning the radon measurement device left by the building inspector to the appropriate testing laboratory in accordance with the instructions provided.)~~

WSR 95-01-129

PERMANENT RULES

BUILDING CODE COUNCIL

[Filed December 21, 1994, 11:43 a.m., effective June 30, 1995]

Date of Adoption: November 18, 1994.

Purpose: To adopt and amend the 1994 Edition of the Uniform Building Codes and Standards, as published by the International Conference of Building Officials, chapter 51-30 WAC.

Statutory Authority for Adoption: Chapters 19.27 and 70.92 RCW.

Pursuant to notice filed as WSR 94-16-143 on August 3, 1994; and WSR 94-18-094 on September 2, 1994.

Effective Date of Rule: June 30, 1995.

December 21, 1994

Gene Colin
Chair

**Chapter 51-30 WAC
STATE BUILDING CODE ADOPTION AND
AMENDMENT OF THE 1994 EDITION OF THE
UNIFORM BUILDING CODE**

NEW SECTION

WAC 51-30-001 Authority. These rules are adopted under the authority of chapter 19.27 RCW.

NEW SECTION

WAC 51-30-002 Purpose. The purpose of these rules is to implement the provisions of chapter 19.27 RCW, which provides that the State Building Code Council shall maintain the State Building Code in a status which is consistent with the purpose as set forth in RCW 19.27.020. In maintaining the codes the Council shall regularly review updated versions of the codes adopted under the act, and other pertinent information, and shall amend the codes as deemed appropriate by the Council.

PERMANENT

NEW SECTION

WAC 51-30-003 Uniform Building Code. The 1994 edition of the Uniform Building Code as published by the International Conference of Building Officials and available from the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, California 90601 is hereby adopted by reference with the following additions, deletions, and exceptions.

NEW SECTION

WAC 51-30-004 Conflicts with Washington State Ventilation and Indoor Air Quality Code. In the case of conflict between the ventilation requirements of Chapter 12 of this code and the ventilation requirements of chapter 51-13 WAC, the Washington State Ventilation and Indoor Air Quality Code, the provisions of the ventilation and indoor air quality code shall govern.

NEW SECTION

WAC 51-30-005 Uniform Building Code requirements for barrier-free accessibility. Chapter 11 and other Uniform Building Code requirements for barrier-free access are adopted pursuant to chapters 70.92 and 19.27 RCW.

Pursuant to RCW 19.27.040, Chapter 11 and requirements affecting barrier-free access in Sections 1004.1, 1004.2, 1004.8, 1004.9, 1006.3, 1006.7, 1006.9, 1006.16, 1007.4, 1007.5, shall not be amended by local governments.

NEW SECTION

WAC 51-30-007 Exceptions. The exceptions and amendments to the Uniform Building Code contained in the provisions of chapter 19.27 RCW shall apply in case of conflict with any of the provisions of these rules.

Table 10-B, Section 1607 and Section 3003 - Special Provisions of the 1994 Uniform Building Code are not adopted.

NEW SECTION

WAC 51-30-008 Implementation. The Uniform Building Code adopted under chapter 51-30 WAC shall become effective in all counties and cities of this state on June 30, 1995.

NEW SECTION

WAC 51-30-009 Recyclable materials and solid waste storage. For the purposes of this section, the following definition shall apply:

RECYCLED MATERIALS means those solid wastes that are separated for recycling or reuse, such as papers, metals and glass.

All local jurisdiction shall require that space be provide for the storage of recycled materials and solid waste for all new buildings.

EXCEPTIONS: Group R, Division 3 and Group U Occupancies.

The storage area shall be designed to meet the needs of the occupancy, efficiency of pickup, and shall be available to occupants and haulers.

NEW SECTION**WAC 51-30-0100 Chapter 1—Administration.**NEW SECTION**WAC 51-30-0104 Section 104—Organization and enforcement.**

104.1 Creation of Enforcement Agency. There is hereby established in this jurisdiction a code enforcement agency which shall be under the administrative and operational control of the building official.

104.2 Powers and Duties of Building Official.

104.2.1 General. The building official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the building official shall have the powers of a law enforcement officer.

The building official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code.

104.2.2 Deputies. In accordance with prescribed procedures and with the approval of the appointing authority, the building official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The building official may deputize such inspectors or employees as may be necessary to carry out the functions of the code enforcement agency.

104.2.3 Right of entry. When it is necessary to make an inspection to enforce the provisions of this code, or when the building official has reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this code which makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

104.2.4 Stop orders. Whenever any work is being done contrary to the provisions of this code, or other pertinent laws or ordinances implemented through the enforcement of this code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the building official to proceed with the work.

104.2.5 Occupancy violations. Whenever any building or structure or equipment therein regulated by this code is being used contrary to the provisions of this code, the building official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the building official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of this code.

104.2.6 Liability. The building official charged with the enforcement of this code, acting in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance shall not thereby be rendered personally liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the building official or employee because of such an act or omission performed by the building official or employee in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by this jurisdiction.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

104.2.7 Modifications. When there are practical difficulties involved in carrying out the provisions of this code, the building official may grant modifications for individual cases. The building official shall first find that a special individual reason makes the strict letter of this code impractical and that the modification is in conformance with the intent and purpose of this code and that such modification does not lessen any fire-protection requirements or any degree of structural integrity. The details of any action granting modifications shall be recorded and entered in the files of the code enforcement agency.

104.2.8 Alternate materials, methods of design and methods of construction. The provisions of this code are not intended to prevent the use of any material, method of design or method of construction not specifically prescribed by this code, provided any alternate has been approved and its use authorized by the building official.

The building official may approve any such alternate, provided the building official finds that the proposed design is satisfactory and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The building official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

104.2.9 Tests. Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that any material or construction does not conform to the requirements of this code, the building official may require tests as proof of compliance to be made at no expense to this jurisdiction.

Test methods shall be as specified by this code or by other recognized test standards. If there are no recognized and accepted test methods for the proposed alternate, the building official shall determine test procedures.

All tests shall be made by an approved agency. Reports of such tests shall be retained by the building official for the period required for the retention of public records.

104.2.10 Cooperation of other officials and officers. The building official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent law or ordinance.

NEW SECTION

WAC 51-30-0200 Chapter 2—Definitions and abbreviations.

NEW SECTION

WAC 51-30-0204 Section 204—C.

CAST STONE is a precast building stone manufactured from portland cement concrete and used as a trim, veneer or facing on or in building or structures.

CENTRAL HEATING PLANT is environmental heating equipment which directly utilizes fuel to generate heat in a medium for distribution by means of ducts or pipes to areas other than the room or space in which the equipment is located.

C.F.R. is the Code of Federal Regulations, a regulation of the United States of America available from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402.

CHIEF OF THE FIRE DEPARTMENT is the head of the fire department or a regularly authorized deputy.

CHILD DAY CARE, shall, for the purposes of these regulations, mean the care of children during any period of a 24 hour day.

CHILD DAY CARE HOME, FAMILY is a child day care facility, licensed by the state, located in the family abode of the person or persons under whose direct care and supervision the child is placed, for the care of twelve or fewer children, including children who reside at the home.

COMBUSTIBLE LIQUID. See the Fire Code.

CONGREGATE RESIDENCE is any building or portion thereof which contains facilities for living, sleeping

and sanitation, as required by this code, and may include facilities for eating and cooking, for occupancy by other than a family. A congregate residence may be a shelter, convent, monastery, dormitory, fraternity or sorority house but does not include jails, hospitals, nursing homes, hotels or lodging houses.

CONDOMINIUM, RESIDENTIAL. See "apartment house".

CONTROL AREA is a building or portion of a building within which the exempted amounts of hazardous materials may be stored, dispensed, handled or used.

CORROSIVE is a chemical that causes visible destruction of, or irreversible alterations in, living tissue by chemical action at the site of contact. A chemical is considered to be corrosive if, when tested on the intact skin of albino rabbits by the method described in the United States Department of Transportation in Appendix A to 49 C.F.R. 173, it destroys or changes irreversibly the structure of the tissue at the site of contact following an exposure period of four hours. This term shall not refer to action on inanimate surfaces.

COURT is a space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls of a building.

NEW SECTION

WAC 51-30-0207 Section 207—F.

FABRICATION AREA (fab area) is an area within a Group H, Division 6 Occupancy in which there are processes involving hazardous production materials and may include ancillary rooms or areas such as dressing rooms and offices that are directly related to the fab area processes.

FAMILY is an individual or two or more persons related by blood or marriage or a group of not more than five persons (excluding servants) who need not be related by blood or marriage living together in a dwelling unit.

FAMILY ABODE means a single dwelling unit and accessory buildings occupied for living purposes by a family which provides permanent provisions for living, sleeping, eating, cooking, and sanitation.

FIRE ASSEMBLY. See Section 713.2.

FIRE CODE is the *Uniform Fire Code* promulgated by the International Fire Code Institute, as adopted by this jurisdiction.

FIRE RESISTANCE or **FIRE-RESISTIVE CONSTRUCTION** is construction to resist the spread of fire, details of which are specified in this code.

FIRE-RETARDANT-TREATED WOOD is any wood product impregnated with chemicals by a pressure process or other means during manufacture, and which, when tested in accordance with U.B.C. Standard 8-1 for a period of 30 minutes, shall have a flame spread of not over 25 and show no evidence of progressive combustion. In addition, the flame front shall not progress more than 10½ feet (3200 mm) beyond the center line of the burner at any time during the test. Materials which may be exposed to the weather

shall pass the accelerated weathering test and be identified as Exterior type, in accordance with U.B.C. Standard 23-5. Where material is not directly exposed to rainfall but exposed to high humidity conditions, it shall be subjected to the hygroscopic test and identified as Interior Type A in accordance with U.B.C. Standard 23-5.

All materials shall bear identification showing the fire performance rating thereof. Such identifications shall be issued by an approved agency having a service for inspection of materials at the factory.

FLAMMABLE LIQUID. See the Fire Code.

FLOOR AREA is the area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts, courts and gridirons. The floor area of a building, or portion thereof, not provided with surrounding exterior wall shall be the usable area under the horizontal projection of the roof or floor above.

FM is Factory Mutual Engineering and Research, 1151 Boston-Providence Turnpike, Norwood, Massachusetts 02062.

FOAM PLASTIC INSULATION is a plastic which is intentionally expanded by the use of a foaming agent to produce a reduced-density plastic containing voids consisting of hollow spheres or interconnected cells distributed throughout the plastic for thermal insulating or acoustical purposes and which has a density less than 20 pounds per cubic foot (320 kg/m³).

FOOTING is that portion of the foundation of a structure which spreads and transmits loads directly to the soil or the piles.

FRONT OF LOT is the front boundary line of a lot bordering on the street and, in the case of a corner lot, may be either frontage.

NEW SECTION

WAC 51-30-0217 Section 217—P.

PANIC HARDWARE. See Section 1001.2.

PEDESTRIAN WALKWAY is a walkway used exclusively as a pedestrian trafficway.

PENETRATION FIRE STOP is a through-penetration fire stop or a membrane-penetration fire stop.

PERMIT is an official document or certificate issued by the building official authorizing performance of a specified activity.

PERSON is a natural person, heirs, executors, administrators or assigns, and also includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

PHOTOLUMINESCENT is the property of emitting light as the result of absorption of visible or invisible light, which continues for a length of time after excitation.

PLASTIC MATERIALS, APPROVED, other than foam plastics regulated under Sections 601.5.5 and 2602, are those plastic materials having a self-ignition temperature of 650°F. (343°C.) or greater as determined in accordance with

U.B.C. Standard 26-6, and a smoke-density rating not greater than 450 when tested in accordance with U.B.C. Standard 8-1, in the way intended for use, or a smoke-density rating not greater than 75 when tested in accordance with U.B.C. Standard 26-5 in the thickness intended for use. Approved plastics shall be classified as either CC1 or CC2 in accordance with U.B.C. Standard 26-7. See also Section 207, definition of "foam plastic insulation".

PLATFORM. See Section 407.

PLUMBING CODE is the *Plumbing Code*, as adopted by this jurisdiction.

PORTABLE SCHOOL CLASSROOM is a structure, transportable in one or more sections, which requires a chassis to be transported, and is designed to be used as an educational space with or without a permanent foundation. The structure shall be trailerable and capable of being demounted and relocated to other locations as needs arise.

PROTECTIVE MEMBRANE is the surface material which forms the required outer layer or layers of a fire-resistive assembly containing concealed spaces.

PUBLIC WAY See Section 1001.2.

NEW SECTION

WAC 51-30-0220 Section 220—S.

SELF-LUMINOUS means powered continuously by a self-contained power source other than battery or batteries, such as radioactive tritium gas. A self-luminous sign is independent of external power supplies or other energy for its operation.

SENSITIZER is a chemical that causes a substantial proportion of exposed people or animals to develop an allergic reaction in normal tissue after repeated exposure to the chemical.

SERVICE CORRIDOR is a fully enclosed passage used for transporting hazardous production materials and for purposes other than required exiting.

SHAFT is an interior space, enclosed by walls or construction, extending through one or more stories or basements which connects openings in successive floors, or floors and roof, to accommodate elevators, dumbwaiters, mechanical equipment or similar devices or to transmit light or ventilation air.

SHAFT ENCLOSURE is the walls or construction forming the boundaries of a shaft.

SHALL, as used in this code, is mandatory.

SMOKE DETECTOR is an approved, listed device that senses visible or invisible particles of combustion.

STAGE. See Chapter 4.

STORY is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than 6 feet (1829 mm) above grade as

defined herein for more than 50 percent of the total perimeter or is more than 12 feet (3658 mm) above grade as defined herein at any point, such usable or unused under-floor space shall be considered as a story.

STORY, FIRST, is the lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than 4 feet (1219 mm) below grade, as defined herein, for more than 50 percent of the total perimeter, or not more than 8 feet (2438 mm) below grade, as defined herein, at any point.

STREET is any thoroughfare or public way not less than 16 feet (4877 mm) in width which has been dedicated or deeded to the public for public use.

STRUCTURAL OBSERVATION means the visual observation of the structural system, for general conformance to the approved plans and specifications. Structural observation does not include or waive the responsibility for the inspections required by Sections 108 and 1702 or other sections of the code.

STRUCTURE is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

SURGICAL AREA is the preoperating, operating, recovery and similar rooms within an outpatient health-care center where the patients are incapable of unassisted self-preservation.

NEW SECTION

WAC 51-30-0300 Chapter 3—Use or occupancy.

NEW SECTION

WAC 51-30-0302 Section 302—Mixed use or occupancy.

302.1 General. When a building is used for more than one occupancy purpose, each part of the building comprising a distinct "occupancy", as described in Section 301 shall be separated from any other occupancy as specified in Section 302.4.

- EXCEPTIONS:**
1. When an approved spray booth constructed in accordance with the Fire Code is installed, such booth need not be separated from Group B, F, H, M or S Occupancies.
 2. The following occupancies need not be separated from the uses to which they are accessory:
 - 2.1 Assembly rooms having a floor area of not over 750 square feet (69 m²).
 - 2.2 Administrative and clerical offices and similar rooms which do not exceed 25 percent of the floor area of the major use when not related to Group H, Division 2 and Group H, Division 3 Occupancies.
 - 2.3 Gift shops, administrative offices and similar rooms in Group R, Division 1 Occupancies not exceeding 10 percent of the floor area of the major use.
 - 2.4 The kitchen serving the dining area of which it is a part.
 - 2.5 Customer waiting rooms not exceeding 450 square feet (41.8 m²) when not related to Group H Occupancies and when such waiting rooms have an exit directly to the exterior.
 - 2.6 Offices, mercantile, food preparation establishments for off-site consumption, personal care salons or similar uses in Group

R dwelling units which are conducted primarily by the occupants of a dwelling unit, which are secondary to the use of the unit for dwelling purposes, and which do not exceed 500 square feet (46.4 m²).

3. An occupancy separation need not be provided between a Group R, Division 3 Occupancy and a carport having no enclosed uses above, provided the carport is entirely open on two or more sides.

4. A Group S, Division 3 Occupancy used exclusively for the parking or storage of private or pleasure-type motor vehicles need not be separated from a Group S, Division 4 Occupancy open parking garage as defined in Section 311.1.

When a building houses more than one occupancy, each portion of the building shall conform to the requirements for the occupancy housed therein.

An occupancy shall not be located above the story or height set forth in Table 5-B, except as provided in Section 506. When a mixed occupancy building contains a Group H, Division 6 Occupancy, the portion containing the Group H, Division 6 Occupancy shall not exceed three stories or 55 feet (16 764 mm) in height.

302.2 Forms of Occupancy Separations. Occupancy separations shall be vertical or horizontal or both or, when necessary, of such other form as may be required to afford a complete separation between the various occupancy divisions in the building.

Where the occupancy separation is horizontal, structural members supporting the separation shall be protected by equivalent fire-resistive construction.

302.3 Types of Occupancy Separations. Occupancy separations shall be classed as "four-hour fire-resistive", "three-hour fire-resistive", "two-hour fire-resistive", and "one-hour fire-resistive".

1. A four-hour fire-resistive occupancy separation shall have no openings therein and shall not be of less than four-hour fire-resistive construction.

2. A three-hour fire-resistive occupancy separation shall not be of less than three-hour fire-resistive construction. All openings in walls forming such separation shall be protected by a fire assembly having a three-hour fire-protection rating. The total width of all openings in any three-hour fire-resistive occupancy separation wall in any one story shall not exceed 25 percent of the length of the wall in that story and no single opening shall have an area greater than 120 square feet (11 m²).

All openings in floors forming a three-hour fire-resistive occupancy separation shall be protected by vertical shaft, stairway, ramp or escalator enclosures extending above and below such openings. The wall of such vertical enclosures shall be of not less than two-hour fire-resistive construction and all openings therein shall be protected by a fire assembly having a one- and one-half-hour fire-protection rating.

EXCEPTION: When the walls of such vertical enclosure extending below the three-hour fire-resistive occupancy separation to the foundation are provided with a fire-resistive rating of not less than three hours with openings therein protected as required for walls forming three-hour occupancy separations, the enclosure walls extending above such floor used as the three-hour fire-resistive occupancy separation may have a one-hour fire resistive rating provided:

1. The occupancy above is not required to be of Type I or Type II fire-resistive construction, and

2. The enclosure walls do not enclose an exit stairway, a ramp or an escalator required to have enclosure walls of not less than two-hour fire-resistive construction.

3. A two-hour fire-resistive occupancy separation shall not be of less than two-hour fire-resistive construction. All openings in such separation shall be protected by a fire assembly having a one- and one-half-hour fire-protection rating.

4. A one-hour fire-resistive occupancy separation shall not be of less than one-hour fire-resistive construction. All openings in such separation shall be protected by a fire assembly having a one-hour fire-protection rating.

302.4 Fire Ratings for Occupancy Separations. Occupancy separations shall be provided between the various groups and divisions of occupancies as set forth in Table 3-B. For required separation of specific uses in Group I, Division 1 hospitals and nursing homes, see Table 3-C. See also Section 504.6.1.

EXCEPTIONS:

1. A three-hour occupancy separation may be used between a Group A, Division 1 and a Group S, Division 3 Occupancy used exclusively for the parking or storage of private or pleasure-type motor vehicles provided no repair or fueling is done. A two-hour occupancy separation may be used between a Group A, Division 2, 2.1, 3 or 4 or E or I Occupancy and a Group S, Division 3 Occupancy used exclusively for the parking or storage of private or pleasure-type motor vehicles provided no repair or fueling is done.

2. Unless required by Section 311.2.2, the three-hour occupancy separation between a Group R, Division 1 Occupancy and a Group S, Division 3 Occupancy used only for the parking or storage of private or pleasure-type motor vehicles with no repair or fueling may be reduced to two hours. Such occupancy separation may be further reduced to one hour where the area of such Group S, Division 3 Occupancy does not exceed 3,000 square feet (279 m²).

3. In the one-hour occupancy separation between Group R, Division 3 and Group U Occupancies, the separation may be limited to the installation of materials approved for one-hour fire-resistive construction on the garage side and a self-closing, tight-fitting solid-wood door 1 3/8 inches (35 mm) in thickness, or a self-closing, tight-fitting door having a fire-protection rating of not less than 20 minutes when tested in accordance with Part II of U.B.C. Standard 7-2, which is a part of this code, is permitted in lieu of a one-hour fire assembly. Fire dampers need not be installed in air ducts passing through the wall, floor or ceiling separating a Group R, Division 3 Occupancy from a Group U Occupancy, provided such ducts within the Group U Occupancy are constructed of steel having a thickness not less than 0.019 inch (0.48 mm) (No. 26 galvanized sheet gage) and have no openings into the Group U Occupancy.

4. Group H, Division 2 and Group H, Division 3 Occupancies need not be separated from Group H, Division 7 Occupancies when such occupancies also comply with the requirements for a Group H, Division 7 Occupancy.

302.5 Heating Equipment Room Occupancy Separation. In Groups A; B; E; F; I; M; R, Division 1; and S Occupancies, rooms containing a boiler, central heating plant or hot-water supply boiler shall be separated from the rest of the building by not less than a one-hour occupancy separation.

EXCEPTIONS:

1. In Groups A, B, E, F, I, M, and S Occupancies, boilers, central heating plants or hot-water supply boilers where the largest piece of fuel equipment does not exceed 400,000 Btu per hour (117.2 kW) input.
2. In Group R, Division 1 Occupancies, a separation need not be provided for such rooms with equipment serving only one dwelling unit.

In Group E Occupancy, when the opening for a heater or equipment room is protected by a pair of fire doors, the inactive leaf shall be normally secured in the closed position and shall be openable only by the use of a tool. An astragal shall be provided and the active leaf shall be self-closing.

In Group H Occupancies, rooms containing a boiler, central heating plant or hot-water supply boiler shall be separated from the rest of the building by not less than a two-hour occupancy separation. In Divisions 1 and 2, there shall be no openings in such occupancy separation except for necessary ducts and piping.

For opening in exterior walls of equipment rooms in Groups A, E or I Occupancies, see Section 303.8.

302.6 Water Closet Room Separation. A room in which a water closet is located shall be separated from food preparation or storage rooms by a tight-fitting door.

NEW SECTION

WAC 51-30-0304 Section 304—Requirements for Group B Occupancies.

304.1 Group B Occupancies Defined.

Group B Occupancies shall include buildings, structures, or portions thereof, for office, professional or service-type transactions, which are not classified as Group H Occupancies. Such occupancies include occupancies for the storage of records and accounts, and eating and drinking establishments with an occupant load of less than 50. Business occupancies shall include, but not be limited to, the following:

1. Animal hospitals, kennels, pounds.
2. Automobile and other motor vehicle showrooms.
3. Banks.
4. Barber shops.
5. Beauty shop.
6. Car washes.
7. Civic administration.
8. Outpatient clinic and medical offices (where five or less patients in a tenant space are incapable of unassisted self-preservation).
9. Dry cleaning pick-up and delivery stations and self-service.
10. Educational occupancies above the 12th grade.
11. Electronic data processing.
12. Fire stations.
13. Florists and nurseries.
14. Laboratories - testing and research.
15. Laundry pick-up and delivery stations and self-service.
16. Police stations.
17. Post offices.
18. Print shops.

19. Professional services such as attorney, dentist, physician, engineer.

20. Radio and television stations.

21. Telephone exchanges.

For occupancy separations, see Table 3-B.

304.2 Construction, Height and Allowable Area.

304.2.1 General. Buildings or parts of buildings classed as Group B Occupancies because of the use or character of the occupancy shall be limited to the types of construction set forth in Table 5-B. Such occupancies shall not exceed, in area or height, the limits specified in Sections 504, 505 and 506 and shall comply with the provisions of this section.

304.2.2 Special provisions.

304.2.2.1 Laboratories and vocational shops. Laboratories or groups of laboratories under the same management and vocational shops in buildings used for educational purposes, and similar areas containing hazardous materials, shall be separated from each other and other portions of the building by not less than a one-hour fire-resistive occupancy separation. Laboratories or groups of laboratories may include accessory support areas such as offices. When the quantities of hazardous materials in such uses do not exceed those listed in Table 3-D or 3-E, the requirements of Sections 306.5 and 306.8 shall apply. When the quantities of hazardous materials in such uses exceed those allowed by Table 3-D or 3-E, the use shall be classified as the appropriate Group H Occupancy.

Laboratories having an occupant load of 10 or more shall have at least two exits from the room and all portions of the room shall be within 75 feet (22 860 mm) of an exit.

304.2.2.2 Amusement buildings. Amusement buildings with an occupant load of less than 50 shall comply with Section 408.

304.3 Location on Property. For fire-resistive protection of exterior walls and openings, as determined by location on property, see Section 503 and Chapter 6.

304.4 Access and Exit Facilities. Exits shall be provided as specified in Chapter 10. See also Section 304.2.2.1 for exits from laboratories.

Access to, and egress from, buildings required to be accessible shall be provided as specified in Chapter 11.

304.5 Light, Ventilation and Sanitation. Light, ventilation and sanitation shall be in accordance with Chapters 12 and 29 and this section.

304.5.1 Ventilation of flammable vapors. See Section 1202.2.2 for ventilation of flammable vapors.

304.5.2 Sanitation. The number of plumbing fixtures shall not be less than specified in Section 2902.3.

304.6 Shaft and Exit Enclosures. Exits shall be enclosed as specified in Chapter 10.

Elevator shafts, vent shafts and other openings through floors shall be enclosed, and the enclosure shall be as specified in Section 711.

In buildings housing Group B Occupancies equipped with automatic sprinkler systems throughout, enclosures need not be provided for escalators where the top of the escalator opening at each story is provided with a draft curtain and automatic fire sprinklers are installed around the perimeter of the opening within 2 feet (610 mm) of the draft curtain. The draft curtain shall enclose the perimeter of the unenclosed opening and extend from the ceiling downward at least 12 inches (305 mm) on all sides. The spacing between sprinklers shall not exceed 6 feet (1829 mm).

304.7 Sprinkler and Standpipe Systems. When required by Section 904.2.1 or other provisions of this code, automatic sprinkler systems and stand pipes shall be installed as specified in Chapter 9.

304.8 Special Hazards. Chimneys and heating apparatus shall conform to the requirements of Chapter 31 of this code and the Mechanical Code.

Storage and use of flammable and combustible liquids shall be in accordance with the Fire Code.

Devices generating a glow, spark or flame capable of igniting flammable vapors shall be installed such that sources of ignition are at least 18 inches (457 mm) above the floor of any room in which Class I flammable liquids or flammable gases are used or stored.

NEW SECTION

WAC 51-30-0305 Section 305—Requirements for Group E Occupancies.

305.1 Group E Occupancies Defined. Group E Occupancies shall be:

Division 1. Any building used for educational purposes through the 12th grade by 50 or more persons for more than 12 hours per week or four hours in any one day.

Division 2. Any building used for educational purposes through the 12th grade by less than 50 persons for more than 12 hours per week or four hours in any one day.

Division 3. Any building or portion thereof used for day care purposes for more than six persons.

EXCEPTION: Family child day care homes shall be considered Group R, Division 3 Occupancies.

For occupancy separations, see Table 3-B.

305.2 Construction, Height and Allowable Area.

305.2.1 General. Buildings or parts of buildings classed in Group E because of the use or character of the occupancy shall be limited to the types of construction set forth in Table 5-B and shall not exceed, in area or height, the limits specified in Sections 504, 505 and 506, except that the area may be increased by 50 percent when the maximum travel distance specified in Section 1003.4 is reduced by 50 percent.

305.2.2 Atmospheric separation requirements.

305.2.2.1 Definitions. For the purpose of this chapter and Section 1017, the following definitions are applicable:

COMMON ATMOSPHERE. A common atmosphere exists between rooms, spaces or areas within a building

which are not separated by an approved smoke- and draft-stop barrier.

SEPARATE ATMOSPHERE. A separate atmosphere exists between rooms, spaces or areas that are separated by an approved smoke barrier.

SMOKE BARRIER. A smoke barrier consists of walls, partitions, floors and openings therein as will prevent the transmission of smoke or gases through the construction. See Section 905.

305.2.2.2 General provisions. The provisions of this section apply when a separate exit system is required in accordance with Section 1017.

Walls, partitions and floors forming all or part of an atmospheric separation shall be as required by Section 905.2.3. Glass lights of approved wired glass set in steel frames may be installed in such walls or partitions.

All automatic-closing fire assemblies installed in the atmospheric separation shall be activated by approved smoke detectors.

The specific requirements of this section are not intended to prevent the design or use of other systems, equipment or techniques which will effectively prevent the products of combustion from breaching the atmospheric separation.

305.2.3 Special provisions. Rooms in Division 1 and 2 Occupancies used for kindergarten, first- or second-grade pupils, and Division 3 Occupancies shall not be located above or below the first story.

- EXCEPTIONS:**
1. Basements or stories having floor levels located within 4 feet (1219 mm), measured vertically, from adjacent ground level at the point of exit, provided the basement or story has exits directly to the exterior at that level.
 2. In buildings equipped with an automatic sprinkler system throughout, rooms used for kindergarten, first- and second-grade children or for day care purposes may be located on the second story, provided there are at least two exits directly into separate exiting systems as defined in Section 1017.
 3. Division 3 Occupancies may be located above the first story in buildings of Type I construction and in Types II-F.R., II One-hour and III One-hour construction, subject to the limitation of Section 506 when:
 - 3.1 Division 3 Occupancies containing more than 12 children per story shall not be located above the fourth floor; and
 - 3.2 The entire story in which the day care facility is located is equipped with an approved manual fire alarm and smoke-detection system. (See the Fire Code.) Actuation of an initiating device shall sound an audible alarm throughout the entire story. When a building fire alarm system is required by other provisions of this code or the Fire Code, the alarm system shall be connected to the building alarm system.
 - 3.3 The day care facility, if more than 1000 square feet (92.9 m²) in area, is divided into at least two compartments of approximately the same size by a smoke barrier with door openings protected by smoke- and draft-control assemblies having a fire-protection rating of not less than 20 minutes. Smoke barriers shall have a fire-resistive rating of not less than one hour. In addition to the requirements of Section 302, occupancy separations between Division 3 Occupancies and other occupancies shall be constructed as smoke barriers. Door openings in the smoke barrier shall be tight-fitting with gaskets installed as required by Section 1005, and shall be automatic closing by actuation of the automatic sprinklers, fire alarm or

smoke-detection system. Openings for ducts and other heating, ventilating and air-conditioning openings shall be equipped with a minimum Class I, 250°F. (1210°C.) smoke damper as defined and tested in accordance with approved recognized standards. See Chapter 35, Part III. The damper shall close upon detection of smoke by an approved smoke detector located within the duct, or upon the activation of the fire alarm system; and

3.4 Each compartment formed by the smoke barrier has not less than two exits, one of which is permitted to pass through the adjoining compartment; and

3.5 At least one exit from the Division 3 Occupancy shall be into a separate exiting system as defined in Section 1017; and

3.6 The building is equipped with an automatic sprinkler system throughout.

Stages and platforms shall be constructed in accordance with Chapter 4. For attic space partitions and draft stops, see Section 708.

305.2.4 Special hazards. Laboratories, vocational shops and similar areas containing hazardous materials shall be separated from each other and from other portions of the building by not less than a one-hour fire-resistive occupancy separation. When the quantities or hazardous materials in such uses do not exceed those listed in Table 3-D or 3-E, the requirements of Section 307.5.2 and 307.8 shall apply. When the quantities of hazardous materials in such uses exceed those listed in Table 3-D or 3-E, the use shall be classified as the appropriate Group H Occupancies.

See Section 1017.7 for exiting from laboratories in Group E Occupancies.

Equipment in rooms or groups of rooms sharing a common atmosphere where flammable liquids, combustible dust or hazards material are used, stored, developed or handled shall conform to the requirements of the Fire Code.

305.3 Location on Property. All buildings housing Group E Occupancies shall front directly on or have access to a public street not less than 20 feet (6096 mm) in width. The access to the public street shall be a minimum 20-foot-wide (6096 mm) right-of-way, unobstructed and maintained only as access to the public street. At least one required exit shall be located on the public street or on the access way.

For fire-resistive protection of exterior walls and openings, as determined by location on property, see Section 503 and Chapter 6.

305.4 Access and Exit Facilities. Exits shall be provided as specified in Chapter 10. (For special provisions see Section 1017. See Section 305.2.4 for exit from laboratories.)

Access to, and egress from, buildings required to be accessible shall be provided as specified in Chapter 11.

305.5 Light, Ventilation and Sanitation. All portions of Group E Occupancies customarily occupied by human beings shall be provided with light and ventilation, either natural or artificial, as specified in Chapter 12. See Section 1012 for required exit illumination.

The number of urinals and drinking fountains shall be as specified in Section 2902.4.

305.6 Shaft and Exit Enclosures. Exits shall be enclosed as specified in Chapter 10. Elevator shafts, vent shafts and

other vertical openings shall be enclosed, and the enclosure shall be as specified in Section 711.

305.7 Sprinkler and Standpipe Systems. When required by Section 904.2.1 or other provisions of this code, automatic sprinkler systems and standpipes shall be designed and installed as specified in Chapter 9.

305.8 Special Hazards. Chimneys and heating apparatus shall conform to the requirements of Chapter 31 of this code and the Mechanical Code.

Motion picture machine rooms shall conform to the requirements of Chapter 4.

All exterior openings in a boiler room or rooms containing central heating equipment, if located below openings in another story or if less than 10 feet (3048 mm) from other doors or windows of the same building, shall be protected by a fire assembly having a three-fourths-hour fire-protection rating. Such fire assemblies shall be fixed, automatic closing or self-closing.

Class I, II or III-A liquids shall not be placed, stored or used in Group E Occupancies, except in approved quantities as necessary in laboratories and classrooms and for operation and maintenance as set fourth in the Fire Code.

305.9 Fire Alarm Systems. An approved fire alarm system shall be provided for Group E Occupancies with an occupant load of 50 or more persons. In Group E Occupancies provided with an automatic sprinkler or detection system, the operation of such system shall automatically activate the school fire alarm system, which shall include an alarm mounted on the exterior of the building.

See Chapter 10 for smoke-detection requirements.

For installation requirements, see the Fire Code.

NEW SECTION

WAC 51-30-0307 Section 307—Requirements for Group H Occupancies.

307.1 Group H Occupancies Defined.

307.1.1 General. Group H Occupancies shall include buildings or structures, or portions thereof, that involve the manufacturing, processing, generation or storage of materials that constitute a high fire, explosion or health hazard. For definitions, identification and control of hazardous materials and pesticides, and the display of nonflammable solid and nonflammable and noncombustible liquid hazardous material in Group B, F, M or S Occupancies, see the Fire Code. For the application and use of control areas, see Footnote 1 of Tables 3-D and 3-E. Group H Occupancies shall be:

Division 1. Occupancies with a quantity of material in the building in excess of those listed in Table 3-D which present a high explosion hazard, including, but not limited to:

1. Explosives, blasting agents, fireworks and black powder.

EXCEPTION: Storage and the use of pyrotechnic special effect materials in motion picture, television, theatrical and group entertainment production when under permit as required in the

Fire Code. The time period for storage shall not exceed 90 days.

2. Unclassified detonatable organic peroxides.
3. Class 4 oxidizers.
4. Class 4 or Class 3 detonatable unstable (reactive) materials.

Division 2. Occupancies where combustible dust is manufactured, used or generated in such a manner that concentrations and conditions create a fire or explosion potential; occupancies with a quantity of material in the building in excess of those listed in Tables 3-D, which present a moderate explosion hazard or a hazard from accelerated burning, including, but not limited to:

1. Class I organic peroxides.
2. Class 3 nondetonatable unstable (reactive) materials.
3. Pyrophoric gases.
4. Flammable or oxidizing gases.
5. Class I, II or III-A flammable or combustible liquids which are used or stored in normally open containers or systems, or in closed containers or systems pressurized at more than 15-pounds-per-square-inch (103.4 kPa) gage.

EXCEPTION: Aerosols.

6. Class 3 oxidizers.
7. Class 3 water-reactive materials.

Division 3. Occupancies where flammable solids, other than combustible dust, are manufactured, used or generated.

Division 3 Occupancies also include uses in which the quantity of material in the building in excess of those listed in Table 3-D presents a high physical hazard, including, but not limited to:

1. Class II, III or IV organic peroxides.
2. Class 1 or 2 oxidizers.
3. Class I, II or III-A flammable or combustible liquids which are used or stored in normally closed containers or systems and containers or systems pressurized at 15-pounds-per-square-inch (103.4 kPa) gage or less, and aerosols.
4. Class III-B combustible liquids.
5. Pyrophoric liquids or solids.
6. Class 1 or 2 water-reactive materials.
7. Flammable solids in storage.
8. Flammable or oxidizing cryogenic fluids (other than inert).
9. Class 1 unstable (reactive) gas or Class 2 unstable (reactive) materials.

Division 4. Repair garages not classified as Group S, Division 3 Occupancies.

Division 5. Aircraft repair hangars and heliports not classified as Group S, Division 5 Occupancies.

Division 6. Semiconductor fabrication facilities and comparable research and development areas in which

hazardous production materials (HPM) are used and the aggregate quantity of materials are in excess of those listed in Table 3-D or 3-E. Such facilities and areas shall be designed and constructed in accordance with Section 411.

Division 7. Occupancies having quantities of materials in excess of those listed in Table 3-E that are health hazards, including:

1. Corrosives.
2. Toxic and highly toxic materials.
3. Irritants.
4. Sensitizers.
5. Other health hazards.

307.1.2 Multiple hazards. When a hazardous material has multiple hazards, all hazards shall be addressed and controlled in accordance with the provisions of this chapter.

307.1.3 Liquid use, dispensing and mixing rooms. Rooms in which Class I, Class II and Class III-A flammable or combustible liquids are used, dispensed or mixed in open containers shall be constructed in accordance with the requirements for a Group H, Division 2 Occupancy and the following:

1. Rooms in excess of 500 square feet (46.5 m²) shall have at least one exterior door approved for fire department access.
2. Rooms shall be separated from other areas by an occupancy separation having a fire-resistive rating of not less than one hour for rooms up to 150 square feet (13.9 m²) in area and not less than two hours where the room is more than 150 square feet (13.9 m²) in area. Separations from other occupancies shall not be less than required by Section 302 and Table 3-B.
3. Shelving, racks and wainscoting in such areas shall be of noncombustible construction or wood not less than 1-inch (25 mm) nominal thickness.
4. Liquid use, dispensing and mixing rooms shall not be located in basements.

307.1.4 Liquid storage rooms. Rooms in which Class I, Class II and Class III-A flammable or combustible liquids are stored in closed containers shall be constructed in accordance with the requirements for a Group H, Division 3 Occupancy and to the following:

1. Rooms in excess of 500 square feet (46.5 m²) shall have at least one exterior door approved for fire department access.
2. Rooms shall be separated from other areas by an occupancy separation having a fire-resistive rating of not less than one hour for rooms up to 150 square feet (13.9 m²) in area and not less than two hours where the room is more than 150 square feet (13.9 m²) in area. Separations from other occupancies shall not be less than required by Section 302 and Table 3-B.
3. Shelving, racks and wainscoting in such areas shall be of noncombustible construction or wood of not less than 1-inch (25 mm) nominal thickness.

4. Rooms used for the storage of Class I flammable liquids shall not be located in a basement.

307.1.5 Flammable or combustible liquid storage warehouses. Liquid storage warehouses in which Class I, Class II and Class III-A flammable or combustible liquids are stored in closed containers shall be constructed in accordance with the requirements for a Group H, Division 3 Occupancy and the following:

1. Liquid storage warehouses shall be separated from all other uses by a four-hour area separation wall.

2. Shelving, racks and wainscoting in such warehouses shall be of noncombustible construction or wood not less than 1-inch (25 mm) nominal thickness.

3. Rooms used for the storage of Class I flammable liquids shall not be located in a basement.

307.1.6 Requirement for report. The building official may require a technical opinion and report to identify and develop methods of protection from the hazards presented by the hazardous material. The opinion and report shall be prepared by a qualified person, firm or corporation approved by the building official and shall be provided without charge to the enforcing agency.

The opinion and report may be include, but is not limited to, the preparation of a hazardous material management plan (HMMP); chemical analysis; recommendation for methods if isolation, separation, containment or protection of hazardous materials or processes, including appropriate engineering controls to be applied; the extent of changes in the hazardous behavior to be anticipated under conditions of exposure to fire or from hazard control procedures; and the limitations or conditions of use necessary to achieve and maintain control of the hazardous materials or operations. The report shall be entered into the files of the code enforcement agencies. Proprietary and trade secret information shall be protected under the laws of the state or jurisdiction having authority.

EXCEPTION: When an HMMP is required, the applicant may submit the report(s) used for compliance with requirements of 40 CFR "Hazardous Chemical Reporting and Community Right-to-Know Regulations" under Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA).

307.2 Construction, Height and Allowable Area.

307.2.1 General. Buildings or parts of buildings classed in Group H because of the use or character of the occupancy shall be limited to the types of construction set forth in Table 5-B and shall not exceed, in area or height, the limits specified in Sections 504, 505 and 506.

307.2.2 Floors. Except for surfacing, floors in areas containing hazardous materials and in areas where motor vehicles, boats, helicopters or airplanes are stored, repaired or operated shall be of noncombustible, liquid-tight construction.

EXCEPTION: In Group H, Division 4 and 5 Occupancies, floors may be surfaced or waterproofed with asphaltic paving materials in that portion of the facility where no repair work is done.

307.2.3 Spill control. When required by the Fire Code, floors shall be recessed a minimum of 4 inches (102 mm) or shall be provided with a liquid-tight raised sill with a minimum height of 4 inches (102 mm) so as to prevent the flow of liquids to adjoining areas. Except for surfacing, the sill shall be constructed of noncombustible material, and the liquid-tight seal shall be compatible with the material being stored. When liquid-tight sills are provided, they may be omitted at door openings by the installation of an open-grate trench which connects to an approved drainage system.

307.2.4 Drainage. When required by the Fire Code, the room, building or area shall be provided with a drainage system to direct the flow of liquids to an approved location or, the room, building or area shall be designed to provide secondary containment for the hazardous materials and fire-protection water.

Drains from the area shall be sized to carry the sprinkler system design flow rate over the sprinkler system design area. The slope of drains shall not be less than 1 percent. Materials of construction for the drainage system shall be compatible with the stored materials.

Incompatible materials shall be separated from each other in the drain systems. They may be combined when that have been rendered acceptable for discharge by an approved means into the public sewer. Drainage of spillage and fire-protection water directed to a neutralizer or treatment system shall comply with the following:

1. The system shall be designed to handle the maximum worst-case spill from the single largest container plus the volume of fire-protection water from the system over the minimum design area for a period of 20 minutes.

2. Overflow from the neutralizer or treatment system shall be provided to direct liquid leakage and fire-protection water to a safe location away from the building, any material or fire-protection control valve, means of egress, adjoining property, or fire department access roadway.

307.2.5 Containment. When required by the Fire Code, drains shall be directed to a containment system or other location designed as secondary containment for the hazardous material liquids and fire-protection water, or the building, room or area shall be designed to provide secondary containment of hazardous material liquids and fire-protection water through the use of recessed floors or liquid-tight raised sills.

Secondary containment shall be designed to retain the spill from the largest single container plus the design flow rate of the sprinkler system for the area of the room or area in which the storage is located or the sprinkler system design area, whichever is smaller. The containment capacity shall be capable of containing the flow for a period of 20 minutes.

Overflow from the secondary containment system shall be provided to direct liquid leakage and fire-protection water to a safe location away from the building, any material or fire-protection control valve, means of egress, fire access roadway, adjoining property or storm drains.

If the storage area is open to rainfall, the secondary containment shall be designed to accommodate the volume of a 24-hour rainfall as determined by a 25-year storm.

When secondary containment is required, a monitoring method capable of detecting hazardous material leakage from the primary containment into the secondary containment shall be provided. When visual inspection of the primary containment is not practical, other approved means of monitoring may be provided. When secondary containment may be subject to the intrusion of water, a monitoring method for such water shall be provided. Whenever monitoring devices are provided, they shall be connected to distinct visual or audible alarms.

307.2.6 Smoke and heat vents. Smoke and heat venting shall be provided in areas containing hazardous materials as set forth in the Fire Code in addition to the provisions of this code.

307.2.7 Standby power. Standby power shall be provided in Group H, Division 1 and 2 Occupancies and in Group H, Division 3 Occupancies in which Class I or II organic peroxides are stored. The standby power system shall be designed and installed in accordance with the Electrical Code to automatically supply power to all required electrical equipment when the normal electrical supply system is interrupted.

307.2.8 Emergency power. An emergency power system shall be provided in Group H, Divisions 6 and 7 Occupancies. The emergency power system shall be designed and installed in accordance with the Electrical Code to automatically supply power to all required electrical equipment when the normal electrical supply system is interrupted.

The exhaust system may be designed to operate at not less than one half the normal fan speed on the emergency power system when it is demonstrated that the level of exhaust will maintain a safe atmosphere.

307.2.9 Special provisions for Group H, Division 1 Occupancies. Group H, Division 1 Occupancies shall be in buildings used for no other purpose, without basements, crawl spaces or other under-floor spaces. Roofs shall be of lightweight construction with suitable thermal insulation to prevent sensitive material from reaching its decomposition temperature.

Group H, Division 1 Occupancies containing materials which are in themselves both physical and health hazards in quantities exceeding the exempt amounts in Table 3-E shall comply with requirements for both Group H, Division 1 and Group H, Division 7 Occupancies.

307.2.10 Special provisions for Group H, Divisions 2 and 3 Occupancies. Group H, Divisions 2 and 3 Occupancies containing quantities of hazardous materials in excess of those set forth in Table 3-G shall be in buildings used for no other purpose, shall not exceed one story in height and shall be without basements, crawl spaces or other under-floor spaces.

Group H, Divisions 2 and 3 Occupancies containing water-reactive materials shall be resistant to water penetration. Piping for conveying liquids shall not be over or

through areas containing water reactives, unless isolated by approved liquid-tight construction.

EXCEPTION: Fire-protection piping may be installed over reactives without isolation.

307.2.11 Special provisions for Group H, Division 4 Occupancies. A Division 4 Occupancy having a floor area not exceeding 2,500 square feet (232 m²) may have exterior walls of not less than two-hour fire-resistive construction when less than 5 feet (1524 mm) from a property line and of not less than one-hour fire-resistive construction when 5 feet (1524 mm) or more but less than 20 feet (6096 mm) from a property line.

307.2.12 Special provisions for Group H, Division 6 Occupancies. See Section 307.11.

307.3 Location on Property. Group H Occupancies shall be located on property in accordance with Section 503, Table 3-F and other provisions of this chapter. In Group H, Division 2 or 3 Occupancies, not less than 25 percent of the perimeter wall of the occupancy shall be an exterior wall.

EXCEPTIONS:

1. Liquid use, dispensing and mixing rooms having a floor area of not more than 500 square feet (46.5 m²) need not be located on the outer perimeter of the building when they are in accordance with Section 307.1.3.
2. Liquid storage rooms having a floor area of not more than 1,000 square feet (93 m²) need not be located on the outer perimeter when they are in accordance with Section 307.1.4.
3. Spray paint booths which comply with the Fire Code need not be located on the outer perimeter.

307.4 Access and Exit Facilities. Exits shall be provided as specified in Chapter 10. (For special provisions see Section 1018.)

Access to, and egress from, buildings required to be accessible shall be provided as specified in Chapter 11.

307.5 Light, Ventilation and Sanitation.

307.5.1 General. Light, ventilation and sanitation in Group H Occupancies shall comply with requirements in this section and Chapters 12 and 29.

307.5.2 Ventilation in hazardous locations. See Section 1202.2.3 for ventilation requirements in hazardous locations.

307.5.3 Ventilation in Group H, Division 4 Occupancies. See Section 1202.2.4 for ventilation requirements in Group H, Division 4 Occupancies.

307.5.4 Sanitation. The number of plumbing fixtures shall not be less than specified in Section 2902.5.

307.6 Shaft and Exit Enclosures. Exits shall be enclosed as specified in Chapter 10.

Elevator shafts, vent shafts and other openings through floors shall be enclosed, and the enclosure shall be as specified in Section 711.

Doors which are a part of an automobile ramp enclosure shall be equipped with automatic-closing devices.

For Group H, Division 6 Occupancies, see Section 307.11.2.3.

307.7 Sprinkler and Standpipe Systems. When required by Section 904.2.1 or other provisions of this code, auto-

matic fire-extinguishing systems and standpipes shall be designed and installed as specified in Chapter 9.

307.8 Special Hazards. Chimneys and heating apparatus shall conform to the requirements of Chapter 31 of this code and the Mechanical Code.

In Divisions 4 and 5 Occupancies, devices which generate a glow, spark or flame capable of igniting flammable vapors shall be installed with sources of ignition at least 18 inches (457 mm) above the floor. See the Mechanical Code for additional restrictions.

Equipment or machinery which generates or emits combustible or explosive dust or fibers shall be provided with an adequate dust-collecting and exhaust system installed in conformance with the Mechanical Code. Equipment or systems that are used to collect, process or convey combustible dusts or fibers shall be provided with an approved explosion venting or containment system.

Combustible fiber storage rooms with a fiber storage capacity not exceeding 500 cubic feet (14.2 m³) shall be separated from the remainder of the building by a one-hour fire-resistive occupancy separation. Combustible fiber storage vaults having a fiber storage capacity of more than 500 cubic feet (14.2 m³) shall be separated from the remainder of the building by a two-hour fire-resistive occupancy separation.

Cellulose nitrate film storage and handling shall be in accordance with Section 307.11.

307.9 Fire Alarm Systems. An approved manual fire alarm system shall be provided in Group H Occupancies used for the manufacturing of organic coatings. Approved automatic smoke detection shall be provided for rooms used for the storage, dispensing, use and handling of hazardous materials when required by the Fire Code.

For Group H, Division 6 Occupancies, see Section 307.11.

For installation requirements, see the Fire Code.

For aerosol storage warehouses, see the Fire Code.

307.10 Explosion Control. Explosion control, equivalent protective devices or suppression systems; or barricades shall be provided to control or vent the gases resulting from deflagrations of dusts, gases or mists in rooms, buildings or other enclosures as required by the Fire Code so as to minimize structural or mechanical damage. If detonation rather than deflagration is considered likely, protective devices or systems such as fully contained barricades shall be provided, except that explosion venting to minimize damage from less than 2.0 grams of trinitrotoluene (TNT) (equivalence) is permitted. Walls, floors and roofs separating a use from an explosion exposure shall be designed to resist a minimum internal pressure of 100 pounds per square foot (4.79 kPa) in addition to the loads required by Chapter 16.

Explosion venting shall be provided in exterior walls or roof only. The venting shall be designed to prevent serious structural damage and production of lethal projectiles. The aggregate clear vent relief area shall be regulated by the pressure resistance of the nonrelieving portions of the

building and be designed by persons competent in such design. The design shall recognize the nature of the material and its behavior in an explosion. Vents shall consist of any one or any combination of the following to relieve at a maximum internal pressure of 20 pounds per square foot (958 Pa), but not less than the loads required by Chapter 16:

1. Walls of lightweight material.
2. Lightly fastened hatch covers.
3. Lightly fastened, outward-opening swinging doors in exterior walls.
4. Lightly fastened walls or roof.

Venting devices shall discharge vertically or directly to an unoccupied yard not less than 50 feet (15 240 mm) in width on the same lot. Releasing devices shall be so located that the discharge end shall not be less than 10 feet (3048 mm) vertically and 20 feet (6096 mm) horizontally from window openings or exits in the same or adjoining buildings or structures. The exhaust shall always be in the direction of least exposure and never into the interior of the building unless a suitably designed shaft is provided which discharges to the exterior. See Footnote 12 of Table 3-D.

307.11 Group H, Division 6 Occupancies.

307.11.1 General. In addition to the requirements set forth elsewhere in this code, Group H, Division 6 Occupancies shall comply with the provisions of this section and the Fire Code.

307.11.2 Fabrication area.

307.11.2.1 Separation. Fabrication areas, whose sizes are limited by the quantity of hazardous production materials (HPM) permitted by the Fire Code, shall be separated from each other, from exit corridors, and from other parts of the building by not less than one-hour fire-resistive occupancy separations.

- EXCEPTIONS:
1. Doors within such occupancy separation, including doors to corridors, shall be only self-closing fire assemblies having a fire-protection rating of not less than three-fourths hours.
 2. Windows between fabrication areas and exit corridors may be in accordance with Section 1005.8.2.

307.11.2.2 Floors. Except for surfacing, floors within fabrication areas shall be of noncombustible construction. Openings through floors of fabrication areas may be unprotected when the interconnected levels are used solely for mechanical equipment directly related to such fabrication area. See also Section 307.11.2.3. When forming a part of an occupancy separation, floors shall be liquid tight.

307.11.2.3 Shaft and exit enclosures. Exits shall be enclosed as specified in Chapter 10.

Elevator shafts, vent shafts and other openings through floors shall be enclosed and the enclosure shall be as specified in Section 711. A fabrication area may have mechanical, duct and piping penetrations which extend through not more than two floors within that fabrication area. The annular space around penetrations for cables, cable trays, tubing, piping, conduit or ducts shall be sealed at the floor level to restrict the movement of air. The fabrication area, including the areas through which the ductwork and

piping extend, shall be considered a single conditioned environment.

307.11.2.4 Ventilation. See Section 1202.2.5 for ventilation requirements.

307.11.2.5 Transporting hazardous production materials. Hazardous production materials shall be transported to fabrication areas through enclosed piping or tubing systems that comply with Section 307.11.6, through service corridors or in exit corridors as permitted in the exception to Section 307.11.3. The handling or transporting of hazardous production materials within service corridors shall comply with the Fire Code.

307.11.2.6 Electrical. Electrical equipment and devices within the fabrication area shall comply with the Electrical Code. The requirements for hazardous locations need not be applied when the average air change is at least four times that set forth in Section 307.11.2.4 and when the number of air changes at any location is not less than three times that required by Section 307.11.2.4 and the Fire Code.

307.11.3 Exit corridors. Exit corridors shall comply with Section 1005 and shall be separated from fabrication areas as specified in Section 307.11.2.1. Exit corridors shall not be used for transporting hazardous production materials except as provided in Section 307.11.6.2.

EXCEPTION: In existing Group H, Division 6 Occupancies when there are alterations or modifications to existing fabrication areas, the building official may permit the transportation of hazardous production materials in exit corridors subject to the requirements of the Fire Code and as follows:

1. Corridors adjacent to the fabrication area where the alteration work is to be done shall comply with Section 1005 for a length determined as follows:
 - 1.1 The length of the common wall of the corridor and the fabrication area, and
 - 1.2 For the distance along the exit corridor to the point of entry of HPM into the exit corridor serving that fabrication area.
2. There shall be an emergency telephone system or a local alarm manual pull station or approved signal device within exit corridors at not more than 150-foot (45 720 mm) intervals or fraction thereof and at each exit stair doorway. The signal shall be relayed to the emergency control station and a local signaling device shall be provided.
3. Sprinkler protection shall be designed in accordance with U.B.C. Standard 9-1 for Ordinary Hazard Group 3, except that when one row of sprinklers is used in the corridor protection, the maximum number of sprinklers that need be calculated is 13. U.B.C. Standard 9-1 is a part of this code. (See Chapter 35, Part II.)

307.11.4 Service corridors. Service corridors shall be classified as Group H, Division 6 Occupancies. Service corridors shall be separated from exit corridors as required by Section 307.11.2.1.

Service corridors shall be mechanically ventilated as required by Section 307.11.2.4 or at not less than six air changes per hour, whichever is greater.

The maximum distance of travel from any point in a service corridor to an exterior exit door, horizontal exit, exit passageway, enclosed stairway or door into a fabrication area shall not exceed 75 feet (22 860 mm). Dead ends shall not exceed 4 feet (1219 mm) in length. There shall be not less than two exits, and not more than one half of the required exits shall be into the fabrication area. Doors from service

corridors shall swing in the direction of exit travel and shall be self-closing.

307.11.5 Storage of hazardous production materials.

307.11.5.1 Construction. The storage of hazardous production materials in quantities greater than those listed in Table 3-D or 3-E shall be in inside rooms complying with Section 307.1.4 or shall be in HPM storage rooms not exceeding 6,000 square feet (557.4 m²) in area. Such HPM storage rooms shall be separated from all other areas by not less than a two-hour fire-resistive occupancy separation when the area is 300 square feet (27.9 m²) or more and not less than one-hour fire-resistive construction when the area is less than 300 square feet (27.9 m²). The provisions of Section 302.1 shall apply.

When an HPM storage room is also used for dispensing of Class I or II flammable liquids or flammable gases, the area of the room shall not exceed 1,000 square feet (93 m²). Except for surfacing, floors of storage rooms shall be of noncombustible liquid-tight construction. Raised grating over floors shall be of noncombustible materials. See Section 307.2.3 for sill requirements for liquid storage rooms.

307.11.5.2 Location within building. When HPM storage rooms are provided, they shall have at least one exterior wall and such wall shall be not less than 30 feet (9144 mm) from property lines, including property lines adjacent to public ways. Explosion control shall be provided when required by Section 307.10.

307.11.5.3 Exits. When two exits are required from HPM storage rooms, one shall be directly to the outside of the building. See Section 307.11.2.1, Exception 1.

307.11.5.4 Ventilation. Mechanical exhaust ventilation shall be provided in storage rooms at the rate of not less than 1 cubic foot per minute per square foot (0.044 L/s/m²) of floor area or six air changes per hour, whichever is greater, for all categories of material.

307.11.5.5 Fire and emergency alarm. An approved manual fire alarm system shall be provided.

An approved initiating device connected to a local alarm system shall be provided outside of each interior exit door from HPM storage rooms. Operation of an alarm bar or an alarm-initiating device shall initiate a local alarm and initiate a signal at the emergency control station.

For installation requirements, see the Fire Code.

307.11.5.6 Electrical. Hazardous production materials storage rooms containing flammable liquids or gases shall be classified as Class I, Division 1 hazardous locations. Electrical wiring and equipment within such rooms shall comply with the Electrical Code for such location.

307.11.6 Piping and tubing.

307.11.6.1 General. Hazardous production materials piping and tubing shall comply with this subsection and shall be installed in accordance with nationally recognized standards. Piping and tubing systems shall be metallic unless the material being transported is incompatible with such system. Systems supplying gaseous HPM having a health hazard

ranking of 3 or 4 shall be welded throughout, except for connections, valves and fittings, to the systems which are within a ventilated enclosure. Hazardous production materials supply piping or tubing in service corridors shall be exposed to view.

307.11.6.2 Installations in exit corridors and above other occupancies. Hazardous production materials shall not be located within exit corridors or above areas not classified as Group H, Division 6 Occupancies except as permitted by this subsection.

Hazardous production material piping and tubing may be installed within the space defined by the walls of exit corridors and the floor or roof above or in concealed spaces above other occupancies under the following conditions:

1. Automatic sprinklers shall be installed within the space unless the space is less than 6 inches (152 mm) in least dimension.

2. Ventilation at not less than six air changes per hour shall be provided. The space shall not be used to convey air from any other area.

3. When the piping or tubing is used to transport HPM liquids, a receptor shall be installed below such piping or tubing. The receptor shall be designed to collect any discharge or leakage and drain it to an approved location. The one-hour enclosure shall not be used as part of the receptor.

4. All HPM supply piping and tubing and HPM nonmetallic waste lines shall be separated from the exit corridor and from any occupancy other than Group H, Division 6 by construction as required for walls or partitions that have a fire-protection rating of not less than one hour. When gypsum wallboard is used, joints on the piping side of the enclosure need not be taped, provided the joints occur over framing members. Access openings into the enclosure shall be protected by approved fire assemblies.

5. Readily accessible manual or automatic remotely activated fail-safe emergency shutoff valves shall be installed on piping and tubing other than waste lines at the following locations:

5.1 At branch connections into the fabrication area.

5.2 At entries into exit corridors.

Excess flow valves shall be installed as required by the Fire Code.

6. Electrical wiring and equipment located in the piping space shall be approved for Class I, Division 2 hazardous locations.

EXCEPTION: Occasional transverse crossings of the corridors by supply piping which is enclosed within a ferrous pipe or tube for the width of the corridor need not comply with Items 1 through 6.

307.11.6.3 Identification. Piping, tubing and HPM waste lines shall be identified in accordance with nationally recognized standards to indicate the material being transported.

307.12 Heliports. Heliports may be erected on buildings or other locations if they are constructed in accordance with this chapter and Section 311.10.

NEW SECTION

WAC 51-30-0310 Section 310—Requirements for Group R Occupancies.

310.1 Group R Occupancies Defined. Group R Occupancies shall be:

Division 1. Hotels and apartment houses.

Congregate residences (each accommodating more than 10 persons).

Division 2. Not used.

Division 3. Dwellings, family child day care homes and lodging houses.

Congregate residences (each accommodating 10 persons or less).

Foster Family Care Homes licensed by the Washington State Department of Social and Health Services shall be permitted, as an accessory use to a dwelling unit, for six or fewer children including those of the resident family.

For occupancy separations, see Table 3-B.

A complete code for construction of detached one- and two-family dwellings is in Appendix Chapter 3, Division III, of this code. When adopted, as set forth in Section 101.3, it will take precedence over the other requirements set forth in Chapter 35 of this code.

310.2 Construction, Height and Allowable Area.

310.2.1 General. Buildings or parts of buildings classed in Group R because of the use or character of the occupancy shall be limited to the types of construction set forth in Table 5-B and shall not exceed, in area or height, the limits specified in Section 504, 505 and 506.

310.2.2 Special provisions. Walls and floors separating dwelling units in the same building, or guest rooms in Group R, Division 1 hotel occupancies, shall not be of less than one-hour fire-resistive construction.

Group R, Division 1 Occupancies more than two stories in height or having more than 3,000 square feet (279 m²) of floor area above the first story shall not be of less than one-hour fire-resistive construction throughout except as provided in Section 601.5.2.2.

Storage or laundry rooms that are within Group R, Division 1 Occupancies that are used in common by tenants shall be separated from the rest of the building by not less than one-hour fire-resistive occupancy separation. The separation between individual storage lockers may be non-rated in rooms of 500 square feet (46.4 m²) or less in area and in sprinklered rooms of any size.

For Group R, Division 1 Occupancies with Group S, Division 3 parking garage in the basement or first story, see Section 311.2.2.

For attic space partitions and draft stops, see Section 708.

310.3 Location on Property. For fire-resistive protection of exterior walls and openings, as determined by location on property, see Section 503 and Chapter 6.

310.4 Access and Exit Facilities and Emergency Escapes. Exits shall be provided as specified in Chapter 10. (See also Section 1013 for exit markings.)

Access to, and egress from, buildings required to be accessible shall be provided as specified in Chapter 11.

Basements in dwelling units and every sleeping room below the fourth story shall have at least one operable window or door approved for emergency escape or rescue which shall open directly into a public street, public alley, yard or exit court. The emergency door or window shall be operable from the inside to provide a full, clear opening without the use of separate tools.

EXCEPTION: The window or door may open into an atrium complying with Section 402 provided the window or door opens onto an exit balcony and the dwelling unit or guest room has an exit which does not open into the atrium.

Escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet (0.53 m²). The minimum net clear openable height dimension shall be 24 inches (610 mm). The minimum net clear openable width dimension shall be 20 inches (508 mm). When windows are provided as a means of escape or rescue, they shall have a finished sill height not more than 44 inches (1118 mm) above the floor.

Escape and rescue windows with a finished sill height below the adjacent ground elevation shall have a window well. Window wells at escape or rescue windows shall comply with the following:

1. The clear horizontal dimensions shall allow the window to be fully opened and provide a minimum accessible net clear opening of 9 square feet (0.84 m²), with a minimum dimension of 36 inches (914 mm).

2. Window wells with a vertical depth of more than 44 inches (1118 mm) shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder or stairs shall not encroach into the required dimensions of the window well by more than 6 inches (152 mm).

Bars, grilles, grates or similar devices may be installed on emergency escape or rescue windows, doors or window wells, provided:

1. The devices are equipped with approved release mechanisms which are openable from the inside without the use of a key or special knowledge or effort; and

2. The building is equipped with smoke detectors installed in accordance with Section 310.9.

310.5 Light, Ventilation and Sanitation. Light and ventilation shall be as specified in Chapter 12. The number of plumbing fixtures shall not be less than specified in Section 2902.6.

310.6 Room Dimensions.

310.6.1 Ceiling heights. Habitable space shall have a ceiling height of not less than 7 feet 6 inches (2286 mm)

except as otherwise permitted in this section. Kitchens, halls, bathrooms and toilet compartments may have a ceiling height of not less than 7 feet (2134 mm) measured to the lowest projection from the ceiling. Where exposed beam ceiling members are spaced at less than 48 inches (1219 mm) on center, ceiling height shall be measured to the bottom of these members. Where exposed beam ceiling members are spaced at 48 inches (1219 mm) or more on center, ceiling height shall be measured to the bottom of the deck supported by these members, provided that the bottom of the members is not less than 7 feet (2134 mm) above the floor.

If any room in a building has a sloping ceiling, the prescribed ceiling height for the room is required in only one half the area thereof. No portion of the room measuring less than 5 feet (1524 mm) from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof.

If any room has a furred ceiling, the prescribed ceiling height is required in two thirds the area thereof, but in no case shall the height of the furred ceiling be less than 7 feet (2134 mm).

310.6.2 Floor area. Dwelling units and congregate residences shall have at least one room which shall have not less than 120 square feet (11.2 m²) of floor area. Other habitable rooms except kitchens shall have an area of not less than 70 square feet (6.5 m²). Efficiency dwelling units shall comply with the requirements of Section 310.7.

310.6.3 Width. Habitable rooms other than a kitchen shall not be less than 7 feet (2134 mm) in any dimension.

310.7 Efficiency Dwelling Units. An efficiency dwelling unit shall conform to the requirements of the code except as herein provided:

1. The unit shall have a living room of not less than 220 square feet (20.4 m²) of superficial floor area. An additional 100 square feet (9.3 m²) of superficial floor area shall be provided for each occupant of such unit in excess of two.

2. The unit shall be provided with a separate closet.

3. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.

4. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.

310.8 Shaft and Exit Enclosures. Exits shall be enclosed as specified in Chapter 10.

Elevator shafts, vent shafts, dumbwaiter shafts, clothes chutes and other vertical openings shall be enclosed and the enclosure shall be as specified in Section 711.

In nonsprinklered Group R, Division 1 Occupancies, corridors serving an occupant load of 10 or more shall be separated from corridors and other areas on adjacent floors by not less than approved fixed wired glass set in steel

frames or by 20-minute smoke- and draft-control assemblies which are automatic closing by smoke detection.

310.9 Smoke Detectors and Sprinkler Systems.

310.9.1 Smoke detectors.

310.9.1.1 General. Dwelling units, congregate residences and hotel or lodging house guest rooms that are used for sleeping purposes shall be provided with smoke detectors. Detectors shall be installed in accordance with the approved manufacturer's instructions.

310.9.1.2 Additions, alterations or repairs to Group R Occupancies. When the valuation of an addition, alteration or repair to a Group R Occupancy exceeds \$1,000 and a permit is required, or when one or more sleeping rooms are added or created in existing Group R Occupancies, smoke detectors shall be installed in accordance with Sections 310.9.1.3, 310.9.1.4 and 310.9.1.5 of this section.

EXCEPTION: Repairs to the exterior surfaces of a Group R Occupancy are exempt from the requirements of this section.

310.9.1.3 Power source. In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source and shall be equipped with a battery backup. The detector shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than those required for over-current protection. Smoke detectors may be solely battery operated when installed in existing buildings; or in buildings without commercial power; or in buildings which undergo alterations, repairs or additions regulated by Section 310.9.1.2.

310.9.1.4 Location within dwelling units. In dwelling units, a detector shall be installed in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. When the dwelling unit has more than one story and in dwellings with basements, a detector shall be installed on each story and in the basement. In dwelling units where a story or basement is split into two or more levels, the smoke detector shall be installed on the upper level, except that when the lower level contains a sleeping area, a detector shall be installed on each level. When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. In dwelling units where the ceiling height of a room open to the hallway serving the bedrooms exceeds that of the hallway by 24 inches (610 mm) or more, smoke detectors shall be installed in the hallway and in the adjacent room. Detectors shall sound an alarm audible in all sleeping areas of the dwelling unit in which they are located.

310.9.1.5 Location in efficiency dwelling units, congregate residences and hotels. In efficiency dwelling units, hotel suites and in hotel and congregate residence sleeping rooms, detectors shall be located on the ceiling or wall of the main room or each sleeping room. When sleeping rooms within an efficiency dwelling unit or hotel suite are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. When actuated, the detector shall sound an alarm audible within the

sleeping area of the dwelling unit or congregate residence, hotel suite, or sleeping room in which it is located.

310.9.1.6 Location within family child day care homes. In family child day care homes operable detectors shall be located in all sleeping and napping areas. When the family child day care home has more than one story, and in family child day care homes with basements, an operable detector shall be installed on each story and in the basement. In family child day care homes where a story or basement is split into two or more levels, the smoke detector shall be installed in the upper level, except that when the lower level contains a sleeping or napping area, an operable detector shall be located on each level. When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. In family child day care homes where the ceiling height of a room open to the hallway serving the bedrooms exceeds that of the hallway by 24 inches or more, smoke detectors shall be installed in the hallway and the adjacent room. Detectors shall sound an alarm audible in all areas of the building.

310.9.2 Sprinkler and standpipe systems. When required by Section 904.2.1 or other provisions of this code, automatic sprinkler systems and standpipes shall be designed and installed as specified in Chapter 9.

310.10 Fire Alarm Systems. Group R, Division 1 Occupancies shall be provided with an approved manual and automatic fire alarm system in apartment houses three or more stories in height or containing 16 or more dwelling units, in hotels three or more stories in height or containing 20 or more guest rooms and in congregate residences three or more stories in height or having an occupant load of 20 or more. A fire alarm and communication system shall be provided in Group R, Division 1 Occupancies located in a high-rise building.

- EXCEPTIONS:**
1. A manual fire alarm system need not be provided in buildings not over two stories in height when all individual dwelling units and contiguous attic and crawl spaces are separated from each other and public or common areas by at least one-hour fire-resistive occupancy separations and each individual dwelling unit or guest room has an exit directly to a public way, exit court or yard.
 2. A separate fire alarm system need not be provided in buildings which are protected throughout by an approved supervised fire sprinkler system having a local alarm to notify all occupants.

The local alarm shall provide an alarm signal with a sound pressure level of 15 dBA above the average ambient sound level in every occupied space within the building. The minimum sound pressure level shall be 70 dBA. The maximum sound pressure level for audible alarm-indicating appliances shall not exceed 110 dBA at the minimum hearing distance from the audible appliance.

For the purposes of this section, area separation walls shall not define separate buildings.

310.11 Heating. Dwelling units, guest rooms and congregate residences shall be provided with heating facilities capable of maintaining a room temperature of 70°F. (21°C.) at a point 3 feet (914 mm) above the floor in all habitable rooms.

310.12 Special Hazards. Chimneys and heating apparatus shall conform to the requirements of Chapter 31 and the Mechanical Code.

The storage, use and handling of flammable and combustible liquids in Division 1 Occupancies shall be in accordance with the Fire Code.

In Division 1 Occupancies, doors leading into rooms in which Class I flammable liquids are stored or used shall be protected by a fire assembly having a one-hour fire-protection rating. Such fire assembly shall be self-closing and shall be posted with a sign on each side of the door in 1-inch (25.4 mm) block letters stating: FIRE DOOR—KEEP CLOSED.

310.13 Family Child Day Care Homes. For family child day care homes with more than six children, each floor level used for family child day care purposes shall be served by two remote exits. Outside exit doors shall be operable from the inside without the use of keys or any special knowledge or effort.

Basements located more than four feet below grade level shall not be used for family child day care homes unless one of following conditions exist:

1. Exit stairways from the basement open directly to the exterior of the building without entering the first floor; or

2. One of the two required exits discharges directly to the exterior from the basement level, and a self closing door is installed at the top or bottom of the interior stair leading to the floor above; or

3. One of the two required exits is an operable window or door, approved for emergency escape or rescue, that opens directly to a public street, public alley, yard or exit court is provided; or

4. A residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13d.

Floors located more than 4 feet above grade level shall not be occupied by children in family day care homes.

EXCEPTIONS:

1. Use of toilet facilities while under supervision of an adult staff person.
2. Family child day care homes may be allowed on the second story if one of the following conditions exists:
 - 2.1 Exit stairways from the second story open directly to the exterior of the building without entering the first floor; or
 - 2.2 One of the two required exits discharges directly to the exterior from the second story level, and a self closing door is installed at the top or bottom of the interior stair leading to the floor below; or
 - 2.3 A residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13d.

Every sleeping or napping room in a family child day care home shall have at least one operable window for emergency rescue.

EXCEPTION: Sleeping or napping rooms having doors leading to two separate exit ways, or a door leading directly to the exterior of the building.

Rooms or spaces containing a commercial-type cooking kitchen, boiler, maintenance shop, janitor closet, laundry,

woodworking shop, flammable or combustible storage, or painting operation shall be separated from the family child day care area by at least one-hour fire-resistive construction.

EXCEPTION: A fire-resistive separation shall not be required where the food preparation kitchen contains only domestic cooking range, and the preparation of food does not result in the production of smoke or grease laden vapors.

NEW SECTION

WAC 51-30-0313 Section 313—Requirements for Group LC Occupancies.

313.1 Group LC Occupancies Defined. Group LC Occupancies shall include buildings, structures, or portions thereof, used for the business of providing licensed care to clients in one of the following categories regulated by either the Washington Department of Health or the Department of Social and Health Services:

1. Adult family home.
2. Adult residential rehabilitation facility.
3. Alcoholism intensive inpatient treatment service.
4. Alcoholism detoxification service.
5. Alcoholism long term treatment service.
6. Alcoholism recovery house service.
7. Boarding home.
8. Group care facility.
9. Group care facility for severely and multiple handicapped children.
10. Residential treatment facility for psychiatrically impaired children and youth.

EXCEPTION: Where the care provided at an alcoholism detoxification service is acute care similar to that provided in a hospital, the facility shall be classified as a Group I, Division 1.1 hospital.

313.2 Construction, Height and Allowable Area.

313.2.1 General. Buildings or parts of buildings classed in Group LC because of the use or character of the occupancy shall be limited to the types of construction set forth in this section.

313.2.1.1 Type of construction. Except as provided herein, LC Occupancy buildings may be of any construction type allowed in this code and shall not exceed the limits specified in Sections 504, 505 and 506.

Group LC Occupancies which are licensed for more than six clients and which are more than two stories in height or which have more than 3,000 square feet (279 m²) above the first story shall not be less than one-hour fire-resistive construction throughout.

EXCEPTION: Buildings which are licensed for not more than 16 clients may be of Type V-N construction provided:

1. The entire building has an interior wall and ceiling covering consisting of 1/2 inch gypsum wall board or an approved equal installed in accordance with Section 2511; and,
2. An approved smoke-detection system, supervised by an approved central, proprietary or remote station service, is installed throughout the entire structure and is interconnected with any required sprinkler system.

For attic space partitions and draft stops, see Section 708.

313.2.1.2 Area and height. Buildings classified as Group LC Occupancy shall not exceed, in area or height, the limitations set forth in Table 5-B for Group R, Division 1 Occupancies.

EXCEPTION: LC occupancies licensed for six or fewer clients may be of unlimited area provided they are limited to 3 stories or less.

313.2.1.3 Mixed Occupancies. Group LC Occupancies shall be separated from Group H occupancies by a four-hour fire-resistive occupancy separation and shall be separated from all other occupancies by a one-hour fire-resistive assembly.

EXCEPTIONS:

1. An occupancy separation need not be provided between an Group LC Occupancy licensed for 16 or fewer clients and a carport having no enclosed use above, provided the carport is entirely open on two or more sides.
2. In a Group LC Occupancy licensed for 16 or fewer clients, the one-hour occupancy separation between a Group LC Occupancy and a Group U, Division 1 Occupancy, may be limited to the installation of materials approved for one-hour fire-resistive construction on the garage side and a self-closing, tight-fitting solid-wood door 1 3/8 inches (35 mm) in thickness, or a self-closing tight-fitting door having a fire-protection rating of not less than 20 minutes when tested in accordance with Part II of U.B.C. Standard 7-2, which is a part of this code, is permitted in lieu of a one-hour fire assembly. Fire dampers need not be installed in air ducts passing through the wall, floor or ceiling separating a Group LC Occupancy from a Group U Occupancy, provided such ducts within the Group U Occupancy are constructed of steel having a thickness not less than 0.019 inch (0.48 mm) (No. 26 galvanized sheet gage) and having no openings into the Group U Occupancy.

313.3 Location on Property. For fire-resistive protection of exterior walls and openings, as determined by location on property, see Section 503 and Chapter 6. For the purpose of this determination, LC Occupancies licensed for six or fewer clients shall comply with provisions for Group R, Division 3 Occupancies; and all other LC occupancies shall comply with provisions for Group R, Division 1 Occupancies.

313.4 Access and Exit Facilities and Emergency Escapes.

313.4.1 Evacuation capability. Evacuation capability is the ability of the clients of a licensed care facility to respond to an emergency situation and either evacuate a building or move to a point of safety. Clients shall be classified in one of the following levels:

- I - persons physically and mentally capable of walking or traversing a normal path to safety, including the ascent and descent of stairs, and capable of self-preservation, without the physical assistance of another person.
- II - persons physically and mentally capable of traversing a normal path to safety with the use of mobility aids, but unable to ascend or descend stairs without the physical assistance of another person.
- III - persons physically or mentally unable to walk or traverse a normal path to safety without the physical assistance of another person.

313.4.2 Exit facilities. Exits shall be provided as specified in Chapter 10. For the purpose of determining exit requirements, Group LC Occupancies shall be considered to have an occupant load factor of 300. At least two exits shall be required when the number of occupants (clients and staff) is 10 or more. For all other requirements of Chapter 10, Group LC Occupancies licensed for six or fewer clients shall comply with provisions for Group R, Division 3 Occupancies; and all other Group LC Occupancies shall comply with provisions for Group R, Division 1 Occupancies.

EXCEPTION: Exit illumination required by Section 1012.1 need not be provided in any Group LC Occupancy licensed for six or fewer clients.

313.4.3 Accessibility. In new construction, Group LC Occupancies regardless of the number of clients shall comply with accessibility standards for Group R, Division 1 congregate residences as specified in Chapter 11.

Where a Group LC Occupancy is being established by change of occupancy in an existing building, the building shall be altered to comply with congregate residence provisions of Chapter 11 if any of the clients is a person with disability. The alterations shall provide the minimum necessary access appropriate for the disabilities of the clients. Any alteration, whether to accommodate a client with disability or for another purpose, shall comply with Part III of Chapter 11.

313.4.4 Emergency escape.

313.4.4.1 Location of sleeping rooms. In every licensed care facility, all sleeping rooms occupied by clients with an evacuation capability of II or III shall be located on a grade level floor which provides not less than two means of egress which do not require clients to use stairs, elevator, or platform lift to exit the facility.

EXCEPTIONS:

1. In a Group LC Occupancy licensed to provide care to two or fewer clients with an evacuation capability of II or III and six or fewer total clients, only one means of egress which does not require clients to use stairs, elevator or platform lift to exit the facility need be provided.
2. Sleeping rooms for clients with an evacuation capability of II or III may be located on floors other than at grade level, provided the facility is divided into at least two compartments by smoke barriers of not less than one-hour fire-resistance meeting the requirements of Sections 308.2.2.1 and 905.2.3.

313.4.4.2 Escape windows and doors. Every sleeping room below the fourth story (including basements) shall have at least one operable window or door approved for emergency escape or rescue which shall open directly into a public street, public alley, yard or exit court. The emergency window shall be operable from the inside to provide a full, clear opening without the use of separate tools.

EXCEPTION: The window or door may open into an atrium complying with Section 402 provided the window or door opens onto an exit balcony and the sleeping room has an exit which does not open into the atrium.

Escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet (0.53 m²). The minimum net clear openable height dimension shall be 24 inches (610 mm). The minimum net clear openable width dimension shall be 20 inches (508 mm). When windows are provided as a means of escape or rescue, they shall have a

PERMANENT

finished sill height not more than 44 inches (1118 mm) above the floor.

Escape and rescue windows with a finished sill height below the adjacent ground elevation shall have a window well. Window wells at escape and rescue windows shall comply with the following:

1. The clear horizontal dimension shall allow the window to be fully opened and provide a minimum accessible net clear opening of 9 square feet (0.84 m²), with a minimum dimension of 36 inches (914 mm).

2. Window wells with a vertical depth of more than 44 inches (1118 mm) shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder or stairs shall not encroach into the required dimensions of the window well by more than 6 inches (152 mm).

Bars, grilles, grates or similar devices may be installed on emergency escape windows, doors or window wells, provided:

1. The devices are equipped with approved release mechanisms which are operable from the inside without the use of a key or special knowledge or effort; and

2. The building is equipped with smoke detectors installed in accordance with Section 313.8.

313.5 Light, Ventilation and Sanitation.

313.5.1 General. For the purpose of determining the light and ventilation for Group LC Occupancies required by this section, any room may be considered as a portion of an adjoining room when one half of the area of the common wall is open and unobstructed and provides an opening of not less than one tenth of the floor area of the interior room or 25 square feet (2.3 m²), whichever is greater.

Exterior openings for natural light or ventilation required by this section shall open directly onto a public way or a yard or court as set for in Section 313.5.4.

EXCEPTIONS: 1. Required exterior openings may open into a roofed porch where the porch:

- 1.1 Abuts a public way, yard or court; and
 - 1.2 Has a ceiling height of not less than 7 feet (2134 mm); and
 - 1.3 Has a longer side at least 65 percent open and unobstructed.
2. Skylights.

313.5.2 Light. Sleeping rooms and habitable rooms within the licensed care facility shall be provided with natural light by means of exterior glazed openings with an area not less than one tenth of the floor area of such rooms with a minimum of 10 square feet (0.93 m²).

EXCEPTION: Kitchens may be provided with artificial light.

313.5.3 Ventilation. Group LC Occupancies shall comply with provisions for Group R Occupancies as provided in the Washington State Ventilation and Indoor Air Quality Code (WAC 51-13).

313.5.4 Yards and Courts.

313.5.4.1 General. This section shall apply to yards and courts adjacent to exterior openings that provide required light or ventilation. Such yards and courts shall be on the same property as the building.

313.5.4.2 Yards. Yards shall not be less than 3 feet (914 mm) in width for one-story and two-story buildings. For buildings more than two stories in height, the minimum width of the yard shall be increased at the rate of 1 foot (305 mm) for each additional story. For buildings exceeding 14 stories in height, the required width of the yard shall be computed on the basis of 14 stories.

313.5.4.3 Courts. Courts shall not be less than 3 feet (914 mm) in width. Courts having windows opening on opposite sides shall not be less than 6 feet (1829 mm) in width. Courts bounded on three or more sides by the walls of the building shall not be less than 10 feet (3048 mm) in length unless bounded on one end by a public way or yard. For buildings more than two stories in height, the court shall be increased 1 foot (305 mm) in width and 2 feet (610 mm) in length for each additional story. For buildings exceeding 14 stories in height, the required dimensions shall be computed on the basis of 14 stories.

Adequate access shall be provided to the bottom of all courts for cleaning purposes. Every court more than two stories in height shall be provided with a horizontal air intake at the bottom not less than 10 square feet (0.93 m²) in area and leading to the exterior of the building unless abutting a yard or a public way. The construction of the air intake shall be as required for the court walls of the building but in no case less than one-hour fire resistive.

313.5.4.4 Eaves. Eaves over required windows shall extend no closer than 30 inches (762 mm) from the side and rear property lines. See also Sections 503.2 and 705.

313.5.5 Sanitation.

313.5.5.1 General. Sanitation facilities shall comply with Chapter 29 and the provisions of this section. Any room in which a water closet is located shall be separated from food preparation or storage rooms by a self-closing tight-fitting door.

313.5.5.2 Group LC Occupancies with six or fewer clients. Group LC Occupancies licensed for six or fewer clients shall be provided with not less than one water closet, one lavatory and one bathtub or shower.

313.5.5.3 Group LC Occupancies with more than six clients. Group LC Occupancies licensed for more than six clients shall provide not less than one water closet for each 10 male clients, or fractional part thereof, and not less than one water closet for each 8 female clients, or fractional part thereof.

In addition, not less than one lavatory shall be provided for each 12 male clients, or fractional part thereof, and not less than one lavatory for each 12 female clients, or fractional part thereof. Where the number of clients of either sex exceeds 12, one lavatory shall be added for each additional 20 males, or fractional part thereof, and one lavatory shall be added for each additional 15 females, or fractional part thereof.

In addition, not less than one bathtub or shower shall be provided for every eight clients, or fractional part thereof. Where there are female clients, one additional bathtub or shower shall be provided for each 30 female clients, or

fractional part thereof. Where the number of total clients exceeds 150, one bathtub or shower shall be provided for each 20 clients, or fractional part thereof, over 150 clients.

313.6 Room Dimensions.

313.6.1 Ceiling Heights. Habitable space shall have a ceiling height of not less than 7 feet 6 inches (2286 mm) except as otherwise permitted in this section. Kitchens, halls, bathrooms and toilet compartments may have a ceiling height of not less than 7 feet (2134 mm) measured to the lowest projection from the ceiling. Where exposed beam ceiling members are spaced at less than 48 inches (1219 mm) on center, ceiling height shall be measured to the bottom of those members. Where exposed beam ceilings members are spaced at 48 inches (1219 mm) or more on center, ceiling height shall be measured to the bottom of the deck supported by these members, provided that the bottom of the members is not less than 7 feet (2134 mm) above the floor.

If any room in a building has a sloping ceiling, the prescribed ceiling height for the room is required in only one half of the area thereof. No portion of the room measuring less than 5 feet (1524 mm) from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof.

If any room has a furred ceiling, the prescribed ceiling height is required in two thirds the area thereof, but in no case shall the height of the furred ceiling be less than 7 feet (2134 mm).

313.6.2 Floor area. Group LC Occupancies shall have at least one room which shall have not less than 120 square feet (11.2 m²) of floor area. Other habitable rooms except kitchens shall have an area of not less than 70 square feet (6.5 m²).

313.6.3 Width. Habitable rooms other than kitchens shall not be less than 7 feet (2134 mm) in any dimension.

313.7 Shaft and Exit Enclosures. Exits shall be enclosed as specified in Chapter 10.

Elevator shafts, vent shafts, dumbwaiter shafts, clothes chutes and other vertical openings shall be enclosed and the enclosure shall be as specified in Section 711.

313.8 Smoke Detectors and Sprinkler Systems.

313.8.1 Smoke detectors.

313.8.1.1 General. Rooms within licensed care facilities that are used for sleeping purposes shall be provided with smoke detectors. Detectors shall be installed in accordance with the approved manufacturer's instructions.

313.8.1.2 Additions, alterations or repairs. When the valuation of an addition, alteration or repair to a Group LC Occupancy exceeds \$1,000 and a permit is required, or when one or more sleeping rooms is added or created in an existing Group LC Occupancy, smoke detectors shall be installed in accordance with Sections 313.8.1.3 and 313.8.1.4 of this section.

EXCEPTION: Repairs to the exterior surfaces are exempt from the requirements of this section.

313.8.1.3 Power source. In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source and shall be equipped with a battery backup. The detector shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke detectors may be solely battery operated when installed in existing buildings; or in buildings without commercial power; or in buildings which undergo alterations, repairs or additions regulated by Section 313.8.1.2.

313.8.1.4 Location. A detector shall be installed in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. When the licensed care facility has more than one story or in facilities with basements, a detector shall be installed on each story and in the basement. Where a story or basement is split into two or more levels, the smoke detector shall be installed on the upper level, except that when the lower level contains a sleeping area, a detector shall be installed on each level. When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. Where the ceiling height of a room open to the a hallway serving the bedrooms exceeds that of the hallway by 24 inches (610 mm) or more, smoke detectors shall be installed in the hallway and in the adjacent room. Detectors shall sound an alarm audible in all sleeping areas of the licensed care facility in which they are located.

313.8.2 Sprinkler and standpipe systems.

313.8.2.1 Sprinkler systems. An automatic sprinkler system shall be installed throughout every licensed care facility three or more stories in height or licensed for more than 16 clients. Licensed care facilities with 16 or fewer clients, licensed to provide care for more than two clients who have an evacuation capability of II or III, shall be provided with an automatic sprinkler system throughout the facility.

EXCEPTION: An automatic sprinkler system need not be installed in any licensed care facility licensed for six or fewer clients regardless of the level of evacuation capability.

Where a sprinkler system is required, a system complying with U.B.C. Standard 9-1 shall be installed.

EXCEPTIONS:

1. An automatic sprinkler systems complying with U.B.C. Standard 9-3 may be installed in buildings of four stories or less.
2. Where a Group LC Occupancy is being established by change of occupancy in an existing building not protected by a sprinkler system as is required above for buildings of new construction, an automatic sprinkler system complying with N.F.P.A Standard 13d may be installed provided the care facility is licensed for not more than 16 clients.

Residential or quick-response heads shall be used in all sprinkler systems.

313.8.2.2 Standpipe systems. Standpipe systems shall be provided where required by Section 904.5

313.9 Fire Alarm Systems. Group LC Occupancies licensed for more than 16 clients shall be provided with an approved manual and automatic fire alarm system. The local alarm shall provide an alarm signal with a sound pressure level of 15 dBA above the average ambient sound level in

every occupied space within the building. The minimum sound pressure level shall be 70 dBA. The maximum sound pressure level shall not exceed 110 dBA at the minimum hearing distance from the audible appliance.

313.10 Heating. Licensed care facilities shall be provided with heating facilities capable of maintaining a room temperature of 70°F. (21°C.) at a point 3 feet (914 mm) above the floor in all habitable rooms.

313.11 Special Hazards. Chimneys and heating apparatus shall conform to the requirements of Chapter 31 and the Mechanical Code.

In Group LC Occupancies licensed for more than six clients, the storage, use and handling of flammable and combustible liquids shall be in accordance with the Fire Code. In such facilities, doors leading into rooms in which Class I flammable liquids are stored or used shall be protected by a fire assembly having a one-hour fire-protection rating. Such fire assembly shall be self-closing and shall be posted with a sign on each side of the door in 1-inch (25.4 mm) block letters stating: FIRE DOOR—KEEP CLOSED.

In Group LC Occupancies licensed for more than 16 clients, rooms containing a boiler, central heating plant or hot-water supply boiler shall be separated from the rest of the building by not less than a one-hour occupancy separation.

NEW SECTION

WAC 51-30-0400 Chapter 4—Special use and occupancy.

NEW SECTION

WAC 51-30-0403 Section 403—Special provisions for Group B office buildings and Group R, Division 1 Occupancies.

403.1 Scope. This section applies to all Group B office buildings and Group R, Division 1 Occupancies, each having floors used for human occupancy located more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access. Such buildings shall be of Type I or II-F.R. construction and shall be provided with an approved automatic sprinkler system in accordance with Section 403.2.

403.2 Automatic Sprinkler System.

403.2.1 System design. The automatic sprinkler system shall be provided throughout the building as specified by U.B.C. Standard 9-1, and shall be designed in accordance with that standard and the following:

1. Shutoff valves and a water-flow device shall be provided for each floor. The sprinkler riser may be combined with the standpipe riser.

2. In Seismic Zones 2, 3 and 4, in addition to the main water supply, a secondary on-site supply of water equal to the hydraulically calculated sprinkler design demand plus 100 gallons per minute (378.5 L/min.) additional for the total standpipe system shall be provided. This supply shall be

automatically available if the principal supply fails and shall have a duration of 30 minutes.

403.2.2 Modifications. The following modifications of code requirements are permitted:

1. In buildings of Type I construction the fire-resistive time periods set forth in Table 6-A may be reduced by one hour for interior bearing walls, exterior bearing and nonbearing walls, roofs and the beams supporting roofs, provided they do not frame into columns. In buildings of Type II-F.R. construction the fire-resistive time period set forth in Table 6-A may be reduced by one hour for interior bearing walls, exterior bearing and nonbearing walls, but no reduction is allowed for roofs.

Vertical shafts other than stairway enclosures and elevator shafts may be reduced to one hour when sprinklers are installed within the shafts at alternate floors. The fire-resistive time period reduction as specified herein shall not apply to exterior bearing and nonbearing walls whose fire-resistive rating is less than four hours.

2. Except for corridors in Group B offices and Group R, Division 1 Occupancies and partitions separating dwelling units or guest rooms, all interior nonbearing partitions required to be one-hour fire-resistive construction by Table 6-A may be of noncombustible construction without a fire-resistive time period.

3. Fire dampers, other than those needed to protect floor-ceiling assemblies to maintain the fire resistance of the assembly, are not required.

4. Emergency windows required by Section 310.4 are not required.

403.3 Smoke Detection. Smoke detectors shall be provided in accordance with this subsection. Smoke detectors shall be connected to an automatic fire alarm system installed in accordance with the Fire Code. The actuation of any detector required by this subsection shall operate the emergency voice alarm signaling system and shall place into operation all equipment necessary to prevent the recirculation of smoke.

Smoke detectors shall be located as follows:

1. In every mechanical equipment, electrical, transformer, telephone equipment, elevator machine or similar room and in elevator lobbies. Elevator lobby detectors shall be connected to an alarm verification zone or be listed as releasing devices.

2. In the main return-air and exhaust-air plenum of each air-conditioning system. Such detector shall be located in a serviceable area downstream of the last duct inlet.

3. At each connection to a vertical duct or riser serving two or more stories from a return-air duct or plenum of an air-conditioning system. In Group R, Division 1 Occupancies, an approved smoke detector may be used in each return-air riser carrying not more than 5,000 cubic feet per minute (2360 L/s) and serving not more than 10 air inlet openings.

4. For Group R, Division 1 Occupancies in all interior corridors serving as a required exit for a occupant load of 10 or more.

403.4 Smoke Control. A smoke-control system meeting the requirements of Chapter 9 shall be provided.

403.5 Fire Alarm and Communication Systems.

403.5.1 General. The fire alarm, emergency voice/alarm signaling system and fire department communication systems shall be designed and installed as set forth in this code and the Fire Code.

403.5.2 Emergency voice alarm signaling system. The operation of any automatic fire detector, sprinkler or water-flow device shall automatically sound an alert tone followed by voice instructions giving appropriate information and direction on a general or selective basis to the following terminal areas:

1. Elevators.
2. Elevator lobbies.
3. Corridors.
4. Exit stairways.
5. Rooms and tenant spaces exceeding 1,000 square feet (93 m²) in area.
6. Dwelling units in apartment houses.
7. Hotel guest rooms or suites.

A manual override for emergency voice communication shall be provided for all paging zones.

403.5.3 Fire department communication system. A two-way, approved fire department communication system shall be provided for fire department use. It shall operate between the central control station and elevators, elevator lobbies, emergency and standby power rooms and at entries into enclosed stairways.

403.6 Central Control Station.

403.6.1 General. A central control station room for fire department operations shall be provided. The location, size and arrangement of the central control station shall be approved by the authority having jurisdiction. The central control station room shall be separated from the remainder of the building by not less than a one-hour fire-resistive occupancy separation. It shall contain the following as a minimum:

1. The voice alarm and public address system panels.
2. The fire department communications annunciator panel.
3. Fire-detection and alarm systems annunciator panels.
4. Annunciator visually indicating the location of the elevators and whether they are operational.
5. Status indicators and controls for air-handling systems.
6. Controls for unlocking all stairway doors simultaneously.

7. Sprinkler valve and water-flow detector display panels.

8. Emergency and standby power status indicators.

9. A telephone for fire department use with controlled access to the public telephone system.

10. Fire pump status indicators.

11. Schematic building plans indicating the typical floor plan and detailing the building core, exit facilities, fire-protection systems, fire fighting equipment and fire department access.

12. Work table.

403.6.2 Annunciation identification. Control panels in the central control station shall be permanently identified as to function.

Alarm, supervisory and trouble signals as required by Items 3 and 7 above shall be annunciated in compliance with the Fire Code in the central control station by means of an audible and visual indicator. For purposes of annunciation, zoning shall be in accordance with the following:

1. When the system serves more than one building, each building shall be considered separately.

2. Each floor shall be considered a separate zone. When one or more sprinkler risers serve the same floor, each riser shall be considered a separate zone.

EXCEPTION: When more than one riser serves the same system on the floor.

403.7 Elevators. Elevators and elevator lobbies shall comply with the provisions of Chapter 30 and the following:

NOTE: A bank of elevators is a group of elevators or a single elevator controlled by a common operating system; that is, all those elevators which respond to a single call button constitute a bank of elevators. There is no limit on the number of cars which may be in a bank or group, but there may not be more than four cars within a common hoistway.

1. Elevators on all floors shall open into elevator lobbies which are separated from the remainder of the building, including corridors and other exits, by walls extending from the floor to the underside of the fire-resistive floor or roof above. Such walls shall not be of less than one-hour fire-resistive construction. Openings through such walls shall conform to Section 1005.8.

EXCEPTIONS: 1. The main entrance-level elevator lobby in office buildings.

2. Elevator lobbies located within an atrium complying with the provisions of Section 402.

3. In fully sprinklered office buildings, corridors may lead through enclosed elevator lobbies if all areas of the building have access to at least one required exit without passing through the elevator lobby.

2. Each elevator lobby shall be provided with an approved listed smoke detector located on the lobby ceiling. When the detector is activated, elevator doors shall not open and all cars serving that lobby are to return to the main floor and be under manual control only. If the main floor detector or a transfer floor detector is activated, all cars serving the main floor or transfer floor shall return to a location approved by the fire department and building official and be under manual control only. The detector may serve to close

the lobby doors, additional doors at the hoistway opening allowed in Section 3007 and smoke dampers serving the lobby.

3. Elevator hoistways shall not be vented through an elevator machine room. Cable slots entering the machine room shall be sleeved into the machine room. Such sleeves shall be no larger than necessary for free passage of the cables. Each elevator machine room shall be treated as a separate smoke-control zone.

403.8 Standby Power, Light and Emergency Systems.

403.8.1 Standby power. A standby power-generator set conforming to the Electrical Code shall be provided on the premises. The set shall supply all functions required by this section at full power. Set supervisions with manual start and transfer override features shall be provided at the central control station.

An on-premises fuel supply sufficient for not less than two hours' full-demand operation of the system shall be provided.

The standby system shall have a capacity and rating that would supply all equipment required to be operational at the same time. The generating capacity need not be sized to operate all the connected electrical equipment simultaneously.

All power, lighting, signal and communication facilities specified in Sections 403.3, 403.4, 403.5, 403.6, 403.7 and 403.8, as applicable; fire pumps required to maintain pressure, standby lighting and normal circuits supplying exit signs and exit illumination shall be transferable to the standby source.

403.8.2 Standby lighting. Standby lighting shall be provided as follows:

1. Separate lighting circuits and fixtures sufficient to provide light with an intensity of not less than one footcandle measured at floor level in all exit corridors, stairways, pressurized enclosures, elevator cars and lobbies and other areas which are clearly a part of the escape route.

2. All circuits supply lighting for the central control station and mechanical equipment room.

403.8.3 Emergency systems. The following are classified as emergency systems and shall operate within 10 seconds of failure of the normal power supply:

1. Exit sign and exit illumination as required by Sections 1012 and 1013.

2. Elevator car lighting.

403.9 Exits. Exits shall comply with other requirements of this code and the following:

1. All stairway doors which are locked from the stairway side shall have the capability of being unlocked simultaneously without unlatching upon a signal from the central control station.

2. A telephone or other two-way communications system connected to an approved emergency service which operates continuously shall be provided at not less than

every fifth floor in each required stairway where other provisions of this code permit the doors to be locked.

403.10 Seismic Considerations. In Seismic Zones 2, 3 and 4, the anchorage of mechanical and electrical equipment required for life-safety systems, including fire pumps and elevator drive and suspension systems, shall be designed in accordance with the requirements of Section 1624.

NEW SECTION

WAC 51-30-0405 Section 405—Stages and platforms.

405.1 Scope.

405.1.1 Standards of quality. Stages, platforms and accessory spaces in assembly occupancies shall conform with the requirements of Section 405.

The standards listed below labeled a "U.B.C. Standard" are also listed in Chapter 35, Part II, and are part of this code.

1. U.B.C. Standard 4-1, Proscenium Curtains
2. U.B.C. Standard 9-1, Installation of Sprinkler Systems
3. U.B.C. Standard 8-1, Test Method for Surface-burning Characteristics of Building Materials
4. U.B.C. Standard 7-1, Fire Tests of Building Construction and Materials

405.1.2 Definitions. For the purpose of this chapter, certain terms are defined as follows:

BATTEN is a flown metal pipe or shape on which lights or scenery are fastened.

DROP is a large piece of scenic canvas or cloth which hangs vertically, usually across the stage area.

FLY is the space over the stage of a theater where scenery and equipment can be hung out of view. Also called lofts and rigging lofts.

FLY GALLERY is a catwalk above a stage from which the movement of scenery and operation of other stage effects are controlled.

GRIDIRON is the structural framing over a stage supporting equipment for hanging or flying scenery and other stage effects. A gridiron grating shall not be considered a floor.

LEG DROP is a long narrow strip of fabric used for masking. When used on either or both sides of the acting area, it is provided to designate an entry onto the stage by the actors. It is also used to mask the side stage area. They may also be called "wings".

PINRAIL is a rail on or above a stage which has belaying pins to which lines are fastened.

PLATFORM is that raised area within a building used for the presentation of music, plays or other entertainment; the head table for special guests; the raised area for lectures and speakers; boxing and wrestling rings; theater in the round; and similar purposes wherein there are not overhead

hanging curtains, drops, scenery or stage effects other than lighting.

PLATFORM, PERMANENT is a platform used within an area for more than 30 days.

PLATFORM, TEMPORARY is a platform used within an area for not more than 30 days.

PROSCENIUM WALL is the wall that separates the stage from auditorium or house.

STAGE is a space within a building used for entertainment or presentations, with a stage height of 50 feet (15 240 mm) or less. Curtains, drops, scenery, lighting devices and other stage effects are hug and not retractable except for a single lighting bank; single main curtain, border and legs; and single backdrop.

STAGE AREAS are the entire performance area and adjacent backstage and support areas not separated from the performance area by fire-resistive construction.

STAGE HEIGHT is the dimension between the lowest point on the stage floor and the highest point of the underside of the roof or floor deck above the stage.

STAGE, LEGITIMATE, is a stage wherein curtains, drops, leg drops, scenery, lighting devices or other stage effects are retractable horizontally or suspended overhead and the stage height is greater than 50 feet (15 240 mm).

THEATER-IN-THE-ROUND is an acting area in the middle of a room with the audience sitting all around it.

405.1.3 Materials and design. Materials used in the construction of platforms and stages shall conform to the applicable materials and design requirements as set forth in this code. All assumed design live loads shall be indicated on the construction documents submitted for approval.

405.2 Platforms. Temporary platforms may be constructed of any materials. The space between the floor and the platform above shall not be used for any purpose other than electrical wiring or plumbing to platform equipment.

Platforms shall be constructed of materials as required for the type of construction of the building in which the platform is located. When the space beneath a raised platform is used for storage or any purpose other than equipment wiring or plumbing, the floor construction shall not be less than one-hour fire-resistive construction. When the space beneath the platform is not used for any purpose other than equipment wiring or plumbing, the underside of the platform shall be firestopped and may be constructed of any type of materials permitted by this code. The floor finish may be of wood in all types of construction.

405.3 Stages.

405.3.1 Construction. The minimum type of construction for stages shall be as required for the building except that the finish floor, in all types of construction, may be of wood.

Stages having a stage height of 50 feet (15 240 mm) or more shall be separated from the balance of the building by not less than a two-hour occupancy separation.

EXCEPTION: The opening in the proscenium wall used for viewing performances may be protected by a proscenium firesafety curtain conforming to U.B.C. Standard 4-1.

Where permitted by the building construction type or where the stage is separated from all other areas as required in the paragraph above, the stage floor may be of unprotected noncombustible or heavy-timber framing members with a minimum 1½ -inch-thick (38 mm) wood deck.

Where a stage floor is required to be on one-hour fire-resistive-rated construction, the stage floor may be unprotected when the space below the stage is sprinklered throughout.

Where the stage height is 50 feet (15 240 mm) or less, the stage area shall be separated from accessory spaces by a one-hour fire-resistive occupancy separation.

EXCEPTION: Control rooms and follow spot rooms may be open to the audience.

405.3.2 Accessory rooms. Dressing rooms, workshops, storerooms and other accessory spaces contiguous to stages shall be separated from each other and other building areas by a one-hour fire-resistive occupancy separation.

EXCEPTION: A separation is not required for stages having a floor area not exceeding 500 square feet.

405.3.3 Ventilation. Emergency ventilation shall be provided for all stage areas greater than 1,000 square feet (93 m²) or with a stage height of greater than 50 feet to provide a means of removing smoke and combustion gases directly to the outside in the event of a fire. Ventilation shall be by one or a combination of the following methods:

405.3.3.1 Smoke control. A means shall be provided to maintain the smoke level not less than 6 feet (1829 mm) above the highest level of assembly seating or above the top of the proscenium opening where proscenium wall and opening protection is provided. The system shall be activated independently by each of the following: (1) activation of the sprinkler system in the stage area and (2) by a manually operated switch at an approved location. The emergency ventilation system shall be connected to both normal and standby power. The fan(s) power wiring and ducts shall be located and properly protected to assure a minimum 20 minutes of operation in the event of activation.

405.3.3.2 Roof vents. Two or more vents shall be located near the center of and above the highest part of the stage area. They shall be raised above the roof and provide a net free vent area equal to 5 percent of the stage area. Vents shall be constructed to open automatically by approved heat-activated devices. Supplemental means shall be provided for manual operation of the ventilator from the stage floor. Vents shall be labeled by an approved agency.

405.3.4 Proscenium walls. The proscenium opening shall be protected by an approved fire curtain or an approved water curtain complying with U.B.C. Standard 4-1. The fire curtain shall be designed to close automatically upon automatic detection of a fire and upon manual activation and shall resist the passage of flame and smoke for 20 minutes between the stage area and the audience area.

405.3.5 Gridirons, fly galleries and pinrails. Beams designed only for the attachment of portable or fixed theater

equipment, gridirons, galleries and catwalks shall be constructed of materials consistent with the building type of construction. A fire-resistance rating is not required.

EXCEPTION: Combustible materials shall be permitted for use as the floors of galleries and catwalks of all types of construction.

405.3.6 Flame-retardant requirements. Combustible scenery of cloth, film, dry vegetation and similar materials shall meet the requirements of the Fire Code. Foam plastics shall have a maximum heat release rate of 100 kilowatts.

NEW SECTION

WAC 51-30-0500 Chapter 5—General building limitations.

NEW SECTION

WAC 51-30-0510 Section 510—Heating.

510.1 Definitions. For the purposes of this section only, the following definitions apply.

DESIGNATED AREAS are those areas designated by a county to be an urban growth area in Chapter 36.70A RCW and those areas designated by the US Environmental Protection Agency as being in nonattainment for particulate matter.

SUBSTANTIALLY REMODELED means any alteration or restoration of a building exceeding 60 percent of the appraised value of such building within a 12 month period. For the purpose of this chapter, the appraised value is the value as defined in Section 223 of the Uniform Building Code.

510.2 Primary Heating Source. Primary heating sources in all new and substantially remodeled buildings in designated areas, shall not be dependent upon wood stoves.

510.3 Solid Fuel Burning Devices. No used solid fuel burning device shall be installed in new or existing buildings unless such device is either Oregon Department of Environmental Quality Phase II or United States Environmental Protection Agency certified or a pellet stove either certified or exempt from certification by the United States Environmental Protection Agency.

EXCEPTION: Antique wood cook stoves and heaters manufactured prior to 1940.

NEW SECTION

WAC 51-30-0600 Chapter 6—Types of construction.

NEW SECTION

WAC 51-30-0601 Section 601—Classification of all buildings by types of construction and general requirements.

601.1 General. The requirements of this chapter are for the various types of construction and represent varying degrees of public safety and resistance to fire. Every building shall be classified by the building official into one of the types of construction set forth in Table 6-A. Any building which

does not entirely conform to a type of construction set forth in Table 6-A shall be classified by the building official into a type having an equal or lesser degree of fire resistance.

A building or portion thereof shall not be required to conform to the details of a type of construction higher than that type which meets the minimum requirements based on occupancy even though certain features of such building actually conform to a higher type of construction.

When specific materials, types of construction or fire-resistive protection are required, such requirements shall be the minimum requirements, and any materials, types of construction or fire-resistive protection which will afford equal or greater public safety or resistance to fire, as specified in this code, may be used.

For additional limitations or allowances for special uses or occupancies, see the following:

SECTION	SUBJECT
402	Atria
403	High-rise office buildings and Group R, Division 1 Occupancies
404	Malls
405	Open parking structures
307.11	Group H, Division 6 Occupancies
411	Aviation control structures
413	Agricultural buildings
3111	Membrane structures

601.2 Mixed Types of Construction. When a building contains more than one distinct type of construction, the area of the entire building shall not exceed the least area permitted for the types of construction involved.

EXCEPTION: Each portion of a building separated by one or more area separation walls as specified in Section 504.6 may be considered a separate building for the purpose of classification of types of construction. The fire-resistive time period for such type of construction separation shall not be less than the most restrictive requirement in Section 504.6.2 based on the types of construction involved.

601.3 Standards of Quality. The standards listed below labeled a "U.B.C. Standard" are also listed in Chapter 35, Part II, and are part of this code. The other standards listed below are recognized standards. (See Sections 3502 and 3503.)

1. **Building paper.**

- 1.1 U.B.C. Standard 14-1, Kraft Waterproof Building Paper
- 1.2 Asphalt-saturated Rag Felt, Underwriters Laboratories Inc. Standard Specification 55A, Materials for Construction of Built-up Roof Coverings

2. **Potential heat of building materials.**

U.B.C. Standard 26-1, Test Method to Determine Potential Heat of Building Materials

3. **Foam plastic tests.**

- 3.1 U.B.C. Standard 26-2, Test Method for the Evaluation of Thermal Barriers, Standard of the International Conference of Building Officials
- 3.2 Factory Mutual Standard Fire Test Standard for Insulated Roof Deck Construction

PERMANENT

3.3 Underwriters Laboratories Inc. 1256, Fire Test Standard for Insulated Roof Deck Construction

3.4 U.B.C. Standard 26-3, Room Fire Test Standard for Interior Foam Plastic Systems, Standard of the International Conference of Building Officials

3.5 U.B.C. Standard 26-4, Method of Test for the Evaluation of Flammability Characteristics of Exterior, Nonload-bearing Wall Panel Assemblies Using Foam Plastic Insulation, Test Standard of the International Conference of Building Officials

4. Roof coverings.

4.1 Underwriters Laboratories Inc. Standard Specification 55A, Materials for Use in Construction of Built-up Roof Coverings

4.2 U.B.C. Standard 15-2, Test Standard for Determining the Fire Retardancy of Roof Covering Material

5. Surface-burning characteristics and fire resistance of building materials and assemblies.

5.1 U.B.C. Standard 8-1, Test Method for Surface-burning Characteristics of Building Materials

5.2 U.B.C. Standard 7-1, Fire Test of Building Construction and Materials

6. Self-ignition properties of plastics.

ASTM D 1929, Ignition Properties of Plastics

7. Fire dampers.

UL 555, Fire Dampers

601.4 Structural Frame. The structural frame shall be considered to be the columns and the girders, beams, trusses and spandrels having direct connections to the columns and all other members which are essential to the stability of the building as a whole. The members of floor or roof panels which have no connection to the columns shall be considered secondary members and not a part of the structural frame.

601.5 Exceptions to Table 6-A.

601.5.1 General. The provisions of this section are exceptions to the construction requirements of Table 6-A, Chapter 3 and Sections 602 through 606.

601.5.2 Fixed partitions.

601.5.2.1 Stores and offices. Interior nonload-bearing partitions dividing portions of stores, offices or similar places occupied by one tenant only and which do not establish a corridor serving an occupant load that would require it to be of fire-resistive construction under the provisions of Section 1005.7 may be constructed of:

1. Noncombustible materials.
2. Fire-retardant-treated wood.
3. One-hour fire-resistive construction.

4. Wood panels or similar light construction up to three fourths the height of the room in which placed; when more than three fourths the height of the room, such partitions shall not have less than the upper one fourth of the partition constructed of glass.

601.5.2.2 Hotels and apartments. Interior nonload-bearing partitions within individual dwelling units in apartment houses and guest rooms or suites in hotels when such dwelling units, guest rooms or suites are separated from each other and from corridors by not less than one-hour fire-resistive construction may be constructed of:

1. Noncombustible materials or fire-retardant-treated wood in buildings of any type of construction; or
2. Combustible framing with noncombustible materials applied to the framing in buildings of Type III or V construction.

Openings to such corridors shall be equipped with doors conforming to Section 1005.8 regardless of the occupant load served.

For use of plastics in partitions, see Section 2603.10.

601.5.3 Folding, portable or movable partitions. Approved folding, portable or movable partitions need not have a fire-resistive rating, provided:

1. They do not block required exits (without providing alternative conforming exits) and they do not establish an exit corridor.
2. Their location is restricted by means of permanent tracks, guides or other approved methods.

3. Flammability shall be limited to materials having a flame-spread classification as set forth in Table 8-B for rooms or areas.

601.5.4 Walls fronting on streets or yards. Regardless of fire-resistive requirements for exterior walls, certain elements of the walls fronting on streets or yards having a width of 40 feet (12 192 mm) may be constructed as follows:

1. Bulkheads below show-windows, show-window frames, aprons and showcases may be of combustible materials, provided the height of such construction does not exceed 15 feet (4572 mm) above grade.

2. Wood veneer of boards not less than 1-inch (25 mm) nominal thickness or exterior-type panels not less than 3/8-inch (9.5 mm) nominal thickness may be applied to walls, provided the veneer does not exceed 15 feet (4572 mm) above grade, and further provided such veneer shall be placed either directly against noncombustible surfaces or furred out from such surfaces not to exceed 1 5/8 inches (41 mm) with all concealed spaces fire-blocked as provided in Section 708. Where boards, panels and furring as described above comply with Section 207 as fire-retardant-treated wood suitable for exterior exposure, the height above grade may be increased to 35 feet (10 668 mm).

601.5.5 Trim. Trim, picture molds, chair rails, baseboards, handrails and show-window backing may be of wood. Unprotected wood doors and windows may be used except where openings are required to be fire protected.

Foam plastic trim covering not more than 10 percent of the wall or ceiling area may be used, provided such trim (1) has a density of no less than 20 pounds per cubic foot (320.4 kg/m³), (2) has a maximum thickness of 1/2 inch (12.7 mm) and a maximum width of 4 inches (102 mm) and (3) has a flame-spread rating no greater than 75.

Materials used for interior finish of walls and ceilings, including wainscoting, shall be as specified in Chapter 8.

601.5.6 Loading platforms. Exterior loading platforms may be of noncombustible construction or heavy-timber construction with wood floors not less than 2-inch (51 mm) nominal thickness. Such wood construction shall not be carried through the exterior walls.

601.5.7 Insulating boards. Combustible insulating boards may be used under finished flooring.

601.5.8 Walls within health-care suites. In suites that comply with Section 1019.7, interior non-load-bearing partitions of non-combustible construction need not be of fire-resistive construction. In buildings of combustible construction, interior non-load-bearing partitions within suites may be of combustible framing covered with non-combustible materials having an approved thermal barrier with an index of 15 in accordance with U.B.C. Standard 26-2. One-half-inch gypsum wallboard is acceptable as a thermal barrier.

NEW SECTION

WAC 51-30-0800 Chapter 8—Interior finishes.

NEW SECTION

WAC 51-30-0804 Section 804—Maximum allowable flame spread.

804.1 General. The maximum flame-spread class of finish materials used on interior walls and ceilings shall not exceed that set forth in Table 8-B.

- EXCEPTIONS:
1. Except in Group I Occupancies and in enclosed vertical exitways, Class III may be used in other exitways and rooms as wainscoting extending not more than 48 inches (1219 mm) above the floor and for tack and bulletin boards covering not more than 5 percent of the gross wall area of the room.
 2. In other than Group I, Division 1.1, 1.2 or 2 suites complying with Section 1019.7, when a sprinkler system complying with U.B.C. Standard 9-1 or 9-3 is provided, the flame-spread classification rating may be reduced one classification, but in no case shall materials having a classification greater than Class III be used.
 3. The exposed faces of Type IV-H.T., structural members and Type IV-H.T., decking and planking, where otherwise permissible under this code, are excluded from flame-spread requirements.

804.2 Carpeting on ceilings. When used as interior ceiling finish, carpeting and similar materials having a napped, tufted, looped or similar surface shall have a Class I flame spread.

NEW SECTION

WAC 51-30-0900 Chapter 9—Fire-protection systems.

NEW SECTION

WAC 51-30-0902 Section 902—Standards of quality.

Fire-extinguishing systems, including automatic sprinkler systems, Class I, Class II and Class III standpipe systems,

special automatic extinguishing systems, basement pipe inlets, smoke-control systems, and smoke and heat vents shall be approved and shall be subject to such periodic tests as may be required.

The standards listed below labeled a "U.B.C. Standard" are also listed in Chapter 35, Part II, and are part of this code. The other standards listed below are recognized standards (see Sections 3502 and 3503).

1. Fire-extinguishing system.

1.1 U.B.C. Standard 9-1, Installation of Sprinkler Systems

1.2 U.B.C. Standard 9-3, Installation of Sprinkler Systems in Group R Occupancies Four Stories or Less

1.3 N.F.P.A. Standard 13d, as published by the National Fire Protection Association, 1994 edition

2. Standpipe systems.

U.B.C. Standard 9-2, Standpipe Systems

3. Smoke control.

3.1 U.B.C. Standard 7-2, Fire Test of Door Assemblies

3.2 UL 555, Fire Dampers

3.3 UL 555C, Ceiling Dampers

3.4 UL 555S, Leakage Rated Dampers for Use in Smoke Control Systems

3.5 UL 33, Heat Response Links for Fire Protection Service

3.6 UL 353, Limit Controls

4. Smoke and heat vents.

U.B.C. Standard 15-7, Automatic Smoke and Heat Vents

NEW SECTION

WAC 51-30-0904 Section 904—Fire-extinguishing systems.

904.1 Installation Requirements.

904.1.1 General. Fire-extinguishing systems required in this code shall be installed in accordance with the requirements of this section.

Fire hose threads used in connection with fire-extinguishing systems shall be national standard hose thread or as approved by the fire department.

The location of fire department hose connections shall be approved by the fire department.

In buildings used for high-piled combustible storage, fire protection shall be in accordance with the Fire Code.

904.1.2 Standards. Fire-extinguishing systems shall comply with U.B.C. Standards 9-1 and 9-2.

- EXCEPTIONS:
1. Automatic fire-extinguishing systems not covered by U.B.C. Standards 9-1 or 9-2 shall be approved and installed in accordance with approved standards.
 2. Automatic sprinklers systems may be connected to the domestic water-supply main when approved by the building official, provided the domestic water supply is of adequate

pressure, capacity and sizing for the combined domestic and sprinkler requirements. In such case, the sprinkler system connection shall be made between the public water main or meter and the building shutoff valve, and there shall not be intervening valves or connections. The fire department connection may be omitted when approved by the fire department.

3. Automatic sprinkler systems in Group R Occupancies four stories or less may be in accordance with U.B.C. Standard 9-3.

904.1.3 Modifications. When residential sprinkler systems as set forth in U.B.C. Standard 9-3 are provided, exceptions to, or reductions in, code requirements based on the installation of an automatic fire-extinguishing system are not allowed.

904.2 Automatic Fire-extinguishing Systems.

904.2.1 Where required. An automatic fire-extinguishing system shall be installed in the occupancies and locations as set forth in this section.

For provisions on special hazards and hazardous materials, see the Fire Code.

904.2.2 All occupancies except Group R, Division 3 and Group U Occupancies. Except for Group R, Division 3 and Group U Occupancies, an automatic sprinkler system shall be installed:

1. In every story or basement of all buildings when the floor area exceeds 1,500 square feet (139.4 m²) and there is not provided at least 20 square feet (1.86 m²) of opening entirely above the adjoining ground level in each 50 lineal feet (15 240 mm) or fraction thereof of exterior wall in the story or basement on at least one side of the building. Openings shall have a minimum dimension of not less than 30 inches (762 mm). Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that fire fighting or rescue cannot be accomplished from the exterior.

When openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet (22 860 mm) from such openings, the story shall be provided with an approved automatic sprinkler system, or openings as specified above shall be provided on at least two sides of an exterior wall of the story.

If any portion of a basement is located more than 75 feet (22 860 mm) from openings required in this section, the basement shall be provided with an approved automatic sprinkler system.

2. At the top of rubbish and linen chutes and in their terminal rooms. Chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Sprinkler heads shall be accessible for servicing.

3. In rooms where nitrate film is stored or handled.

4. In protected combustible fiber storage vaults as defined in the Fire Code.

5. Throughout all buildings with a floor used for human occupancy that is located 75 feet (22 860 mm) or more above the lowest level of fire department vehicle access.

EXCEPTIONS:

1. Airport control towers.
2. Open parking structures.
3. Group F, Division 2 Occupancies.

904.2.3 Group A Occupancies.

904.2.3.1 Drinking establishments. An automatic sprinkler system shall be installed in rooms used by the occupants for the consumption of alcoholic beverages and unseparated accessory uses where the total area of such unseparated rooms and assembly uses exceeds 5,000 square feet (465 m²). For uses to be considered as separated, the separation shall not be less than as required for a one-hour occupancy separation. The area of other uses shall be included unless separated by at least a one-hour occupancy separation.

904.2.3.2 Basements. An automatic sprinkler system shall be installed in basements classified as a Group A Occupancy when the basement is larger than 1,500 square feet (139 m²) in floor area.

904.2.3.3 Exhibition and display rooms. An automatic sprinkler system shall be installed in Group A Occupancies which have more than 12,000 square feet (1114 m²) of floor area which can be used for exhibition or display purposes.

904.2.3.4 Stairs. An automatic sprinkler system shall be installed in enclosed usable space below or over a stairway in Group A, Divisions 2, 2.1, 3 and 4 Occupancies. See Section 1009.6.

904.2.3.5 Multitheater complexes. An automatic sprinkler system shall be installed in every building containing a multitheater complex.

904.2.3.6 Amusement buildings. An automatic sprinkler system shall be installed in all amusement buildings. The main water-flow switch shall be electrically supervised. The sprinkler main cutoff valve shall be supervised. When the amusement building is temporary, the sprinkler water-supply system may be of an approved temporary type.

EXCEPTION: An automatic sprinkler system need not be provided when the floor area of a temporary amusement building is less than 1,000 square feet (92.9 m²) and the exit travel distance from any point is less than 50 feet (15 240 mm).

904.2.3.7 Stages. All stages shall be sprinklered. Such sprinklers shall be provided throughout the stage and in dressing rooms, workshops, storerooms and other accessory spaces contiguous to such stages.

EXCEPTIONS:

1. Sprinklers are not required for stages 1,000 square feet (92.9 m²) or less in area and 50 feet (15 240 mm) or less in height where curtains, scenery or other combustible hangings are not retractable vertically. Combustible hangings shall be limited to a single main curtain, borders, legs and a single backdrop.
2. Under stage areas less than 4 feet (1219 mm) in clear height used exclusively for chair or table storage and lined on the inside with 5/8-inch (16 mm) Type X gypsum wallboard or an approved equal.

904.2.4 Group E Occupancies.

904.2.4.1 General. An automatic fire-extinguishing system shall be installed in all newly constructed buildings classified as Group E, Division 1 Occupancy. A minimum water supply meeting the requirements of U.B.C. Standard 9-1 shall be required. The chief of the fire department may reduce fire flow requirements for buildings protected by an approved automatic sprinkler system.

For the purpose of this section, additions exceeding 60 percent of the value of such building or structure, or alter-

ations and repairs to any portion of a building or structure within a twelve-month period that exceeds 100 percent of the value of such building or structure shall be considered new construction. In the case of additions, area separation walls shall define separate buildings.

EXCEPTION: Portable school classrooms, provided:
 1. Aggregate area of clusters of portable school classrooms does not exceed 5,000 square feet (1465 m²); and
 2. Clusters of portable school classrooms shall be separated as required in Chapter 5.

When not required by other provisions of this chapter, a fire-extinguishing system installed in accordance with U.B.C. Standard 9-1 may be used for increases allowed in Chapter 5.

904.2.4.2 Basements. An automatic sprinkler system shall be installed in basement classified as Group E, Division 1 Occupancies.

904.2.4.3 Stairs. An automatic fire sprinkler system shall be installed in enclosed usable space below or over a

stairway in Group E, Division 1 Occupancies. See Section 1009.6.

904.2.5 Group H Occupancies.

904.2.5.1 General. An automatic fire-extinguishing system shall be installed in Group H, Divisions 1, 2, 3 and 7 Occupancies.

904.2.5.2 Group H, Division 4 Occupancies. An automatic fire-extinguishing system shall be installed in Group H, Division 4 Occupancies having a floor area of more than 3,000 square feet (279 m²).

904.2.5.3 Group H, Division 6 Occupancies. An automatic fire-extinguishing system shall be installed throughout buildings containing Group H, Division 6 Occupancies. The design of the sprinkler system shall not be less than that required under U.B.C Standard 9-1 for the occupancy hazard classification as follows:

LOCATION	OCCUPANCY HAZARD CLASSIFICATION
Fabrication areas	Ordinary Hazard Group 2
Service Corridors	Ordinary Hazard Group 2
Storage rooms without dispensing	Ordinary Hazard Group 2
Storage rooms with dispensing	Extra Hazard Group 2
Exit corridors	Ordinary Hazard Group 2 ¹

¹When the design area of the sprinkler system consists of a corridor protected by one row of sprinklers, the maximum number of sprinklers that need to be calculated is 13.

904.2.6 Group I Occupancies. An automatic sprinkler system shall be installed in Group I Occupancies. Listed quick response sprinklers shall be installed in light hazard areas in accordance with their listing.

EXCEPTION: In jails, prisons and reformatories, the piping system may be dry, provided a manually operated valve is installed at a continuously monitored location. Opening of the valve will cause the piping system to be charged. Sprinkler heads in such systems shall be equipped with fusible elements or the system shall be designed as required for deluge systems in U.B.C. Standard 9-1.

904.2.7 Group M Occupancies. An automatic sprinkler shall be installed in retail sales rooms classed as Group M Occupancies where the floor area exceeds 12,000 square feet (1114 m²) on any floor or 24,000 square feet (2228 m²) on all floors or in Group M retail sales occupancies more than three stories in height. The area of mezzanines shall be included in determining the area where sprinklers are required.

904.2.8 Group R, Division 1 Occupancies. An automatic sprinkler system shall be installed throughout every apartment house three or more stories in height or containing 16 or more dwelling units, every congregate residence three or more stories in height or having an occupant load of 20 or more, and every hotel three or more stories in height or containing 20 or more guest rooms. Residential or quick-

response standard sprinklers shall be used in the dwelling units and guest room portions of the building.

904.3 Sprinkler System Monitoring and Alarms.

904.3.1 Where required. All valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electrically monitored where the number of sprinklers are:

1. Twenty or more in Group I, Divisions 1.1 and 1.2 Occupancies.
2. One hundred or more in all other occupancies.

Valve monitoring and water-flow alarm and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote station or proprietary monitoring station as defined by national standards, or, when approved by the building official with the concurrence of the chief of the fire department, sound an audible signal at a constantly attended location.

EXCEPTION: Underground key or hub valves in roadway boxes provided by the municipality or public utility need not be monitored.

904.3.2 Alarms. An approved audible sprinkler flow alarm shall be provided on the exterior of the building in an approved location. An approved audible sprinkler flow

PERMANENT

alarm to alert the occupants shall be provided in the interior of the building in a normally occupied location. Actuation of the alarm shall be as set forth in U.B.C. Standard 9-1.

904.4 Permissible Sprinkler Omissions. Subject to the approval of the building official and with the concurrence of the chief of the fire department, sprinklers may be omitted in rooms or areas as follows:

1. When sprinklers are considered undesirable because of the nature of the contents or in rooms or areas which are of noncombustible construction with wholly noncombustible contents and which are not exposed by other areas. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistive construction or contains electrical equipment.

2. Sprinklers shall not be installed when the application of water or flame and water to the contents may constitute a serious life or fire hazard, as in the manufacture or storage of quantities of aluminum powder, calcium carbide, calcium phosphide, metallic sodium and potassium, quick-lime, magnesium powder and sodium peroxide.

3. Safe deposit or other vaults of fire-resistive construction, when used for the storage of records, files and other documents, when stored in metal cabinets.

4. Communication equipment areas under the exclusive control of a public communication utility agency, provided:

4.1 The equipment areas are separated from the remainder of the building by one-hour fire-resistive occupancy separation; and

4.2 Such areas are used exclusively for such equipment; and

4.3 An approved automatic smoke-detection system is installed in such areas and is supervised by an approved central, proprietary or remote station service or a local alarm which will give an audible signal at a constantly attended location; and

4.4 Other approved fire-protection equipment such as portable fire extinguishers or Class II standpipes are installed in such areas.

5. Other approved automatic fire-extinguishing systems may be installed to protect special hazards or occupancies in lieu of automatic sprinklers.

904.5 Standpipes.

904.5.1 General. Standpipes shall comply with the requirements of this section and U.B.C. Standard 9-2.

904.5.2 Where required. Standpipe systems shall be provided as set forth in Table 9-A.

904.5.3 Location of Class I standpipes. There shall be a Class I standpipe outlet connection at every floor-level landing or every required stairway above or below grade and on each side of the wall adjacent to the exit opening of a horizontal exit. Outlets at stairways shall be located within the exit enclosure or, in the case of pressurized enclosures, within the vestibule or exterior balcony, giving access to the stairway.

Risers and laterals of Class I standpipe systems not located within an enclosed stairway or pressurized enclosure shall be protected by a degree of fire resistance equal to that required for vertical enclosures in the building in which they are located.

EXCEPTION: In buildings equipped with an approved automatic sprinkler system, risers and laterals which are not located within an enclosed stairway or pressurized enclosure need not be enclosed within fire-resistive construction.

There shall be at least one outlet above the roof line when the roof has a slope of less than 4 units vertical in 12 units horizontal (33.3% slope).

In buildings where more than one standpipe is provided, the standpipes shall be interconnected at the bottom.

904.5.4 Location of Class II standpipes. Class II standpipe outlets shall be accessible and shall be located so that all portions of the building are within 30 feet (9144 mm) of a nozzle attached to 100 feet (30 480 mm) of hose.

In Group A, Divisions 1 and 2.1 Occupancies, with occupant loads of more than 1,000, outlets shall be located on each side of any stage, on each side of the rear of the auditorium and on each side of the balcony.

Fire-resistive protection of risers and laterals of Class II standpipe systems is not required.

904.5.5 Location of Class III standpipes. Class III standpipe systems shall have outlets located as required for Class I standpipes in Section 904.5.3 and shall have Class II outlets as required in Section 904.5.4.

Risers and laterals of Class III standpipe systems shall be protected as required for Class I systems.

EXCEPTIONS:

1. In buildings equipped with an approved automatic sprinkler system, risers and laterals which are not located within an enclosed stairway or pressurized enclosure need not be enclosed within fire-resistive construction.
2. Laterals for Class II outlets on Class III systems need not be protected.

In buildings where more than one Class III standpipe is provided, the standpipes shall be interconnected at the bottom.

904.6 Buildings under Construction.

904.6.1 General. During the construction of a building and until the permanent fire-extinguishing system has been installed and is in service, fire protection shall be provided in accordance with this section.

904.6.2 Where required. Every building four stories or more in height shall be provided with not less than one standpipe for use during construction. Such standpipes shall be installed when the progress of construction is not more than 35 feet (10 668 mm) in height above the lowest level of fire department access. Such standpipe shall be provided with fire department hose connections at accessible locations adjacent to usable stairs and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

In each floor there shall be provided a 2 1/2-inch (63.5 mm) valve outlet for fire department use. Where construction height requires installation of a Class III standpipe, fire pumps and water main connections shall be provided to serve the standpipe.

904.6.3 Temporary standpipes. Temporary standpipes may be provided in place of permanent systems if they are designed to furnish a minimum of 500 gallons (1893 L) of water per minute at 50 pounds per square inch (345 kPa) pressure with a standpipe size of not less than 4 inches (102 mm). All outlets shall not be less than 2 1/2-inches (63.5 mm). Pumping equipment sufficient to provide this pressure and volume shall be available at all times when a Class III standpipe system is required.

904.6.4 Detailed requirements. Standpipe systems for buildings under construction shall be installed as required for permanent standpipe systems.

904.7 Basement Pipe Inlets. For basement pipe inlet requirements, see Appendix Section 907.

NEW SECTION

WAC 51-30-1000 Chapter 10—Means of egress.

NEW SECTION

WAC 51-30-1001 Section 1001—General.

1001.1 Scope and Standards of Quality. Every building or portion thereof shall be provided with exits as required by this chapter.

The standards listed below labeled a "U.B.C. standard" are also listed in Chapter 35, Part II, and are part of this code. The other standards listed below are recognized standards and as such are not adopted as part of this code (see Sections 3502 and 3503).

1. Power doors.

1.1 U.B.C. Standard 10-1, Power-operated Exit Doors

1.2 U.B.C. Standard 7-8, Horizontal Sliding Fire Doors Used in an Exit

2. Stairway numbering system.

U.B.C. Standard 10-2, Stairway Identification

3. Hardware.

U.B.C. Standard 10-4, Panic Hardware

1001.2 Definitions. For the purpose of this chapter, certain terms are defined as follows:

BALCONY, EXTERIOR EXIT, is a landing or porch projecting from the wall of a building, and which serves as a required exit. The long side shall be at least 50 percent open, and the open area above the guardrail shall be so distributed as to prevent the accumulation of smoke or toxic gases.

EXIT is a continuous and unobstructed means of egress to a public way and shall include intervening aisles, doors, doorways, gates, corridors, exterior exit balconies, ramps, stairways, pressurized enclosures, horizontal exits, exit passageways, exit courts and yards.

EXIT COURT is a yard or court providing access to a public way for one or more required exits.

EXIT PASSAGEWAY is an enclosed exit connecting a required exit or exit court with a public way.

EXTERIOR STAIRWAY is a stairway that is open on two adjacent sides, except for required structural columns and open-type handrails and guardrails. The adjoining open areas shall be either yards, courts or public ways; the other two sides may be enclosed by the exterior walls of the building.

HORIZONTAL EXIT is an exit from one building into another building on approximately the same level, or through or around a wall constructed as required for a two-hour occupancy separation and which completely divides a floor into two or more separate areas so as to establish an area of refuge affording safety from fire or smoke coming from the area from which escape is made.

INTERIOR STAIRWAY is any stairway not meeting the definition of an exterior stairway.

MULTITHEATER COMPLEX is a building or portion thereof containing two or more motion picture auditoriums which are served by a common lobby.

PANIC HARDWARE is a door-latching assembly incorporating an unlatching device, the activating portion of which extends across at least one half the width of the door leaf on which it is installed.

PRIVATE STAIRWAY is a stairway serving one tenant only.

PUBLIC WAY is any street, alley or similar parcel of land essentially unobstructed from the ground to the sky which is deeded, dedicated or otherwise permanently appropriated to the public for public use and having a clear width of not less than 10 feet (3048 mm).

SMOKE-PROTECTED ASSEMBLY SEATING is an assembly area wherein the roof is not less than 15 feet (4500 mm) above the highest cross aisle or seat row, and having smoke-actuated venting facilities within that part of the roof sufficient to maintain the level of smoke at least 6 feet (1830 mm) above the highest seat or walking level.

SPIRAL STAIRWAY is a stairway having a closed circular form in its plan view with uniform section shaped treads attached to and radiating about a minimum diameter supporting column. The effective tread is delineated by the nosing radius line, the exterior arc (center line of railing) and the overlap radius line (nosing radius line of tread above). Effective tread dimensions are taken along a line perpendicular to the center line of the tread.

TRAVEL DISTANCE is the total length of the exit path an occupant must travel from any point within the occupied portions of a building to reach an exterior exit door, horizontal exit door, exit passageway door or an enclosed exit stairway door.

1001.3 Exit Obstruction. Obstructions shall not be placed in the required width of an exit except projections permitted by this chapter.

1001.4 Changes in Elevation. Elevation changes in an exit shall comply with Section 1006.3 or 1007.

Within a building, changes in elevation of less than 12 inches (305 mm) along an exit serving an occupant load of 10 or more shall be by ramps.

EXCEPTION: Group R, Division 3 Occupancies and along aisles adjoining seating areas.

1001.5 Guardrails. See Section 509 for guardrail requirements.

1001.6 Yards, Patios and Courts. Yards, patios, courts and similar outdoor areas accessible to and usable by the building occupants shall be provided with exits as required by this chapter. The occupant load of such outdoor areas shall be assigned by the building official in accordance with their anticipated use. When outdoor areas are to be used by persons in addition to the occupants of the building, and exits from the outdoor areas pass through the building, exit requirements for the building shall be based on the sum of the occupant loads of the building plus the outdoor areas.

EXCEPTION: 1. Outdoor areas used exclusively for service of the building may have one exit.
2. Outdoor areas associated with Group R, Division 3 Occupancies.

1001.7 Building Accessibility. In addition to provisions of this chapter, exits which provide access to, or egress from, buildings for persons with disabilities shall also comply with Chapter 11.

1001.8 Elevators or Escalators. Elevators or escalators shall not be used as a required exit.

NEW SECTION

WAC 51-30-1004 Section 1004—Doors.

1004.1 General. This section shall apply to every exit door serving an area having an occupant load of 10 or more, or serving hazardous rooms or areas, except that Sections 1004.3, 1004.9, 1004.10 and 1004.11 shall apply to all exit doors, and Sections 1004.2 shall apply to all exit doors within an accessible route, regardless of occupant load. Buildings or structures used for human occupancy shall have at least one exterior exit door that meets the requirements of Section 1004.6. Doors and landings at doors which are located within an accessible route of travel shall also comply with Chapter 11.

1004.2 Swing and Opening Force. Exit doors that serve an area having an occupant load of 10 or more shall be of the pivoted or side-hinged swinging type. Exit doors shall swing in the direction of exit travel when serving any hazardous area or when the area served has an occupant load of 50 or more. The door shall swing to full-open position when an opening force not to exceed 30 pounds (133.45 N) is applied to the latch side. Within an accessible route, such force shall not exceed 8.5 pounds (37.8 N) at exterior doors; and shall not exceed 5 pounds (22.24 N) at sliding and folding doors and interior swinging doors. At exterior doors where environmental conditions require greater closing pressure, power-operated doors shall be used within the accessible route. For other door-opening forces, see Chapter

11 and Section 905.3. See Section 3207 for doors swinging over public property.

EXCEPTIONS: 1. Group I, Division 3 Occupancy used as a place of detention.
2. In other than accessible dwelling units, doors within or serving an individual dwelling unit.
3. Special door conforming with Section 1004.8.
4. The opening force at required fire doors within an accessible route may be not greater than 30 pounds (133.45 N).

Double-acting doors shall not be used as exits when any of the following conditions exist:

1. The occupant load served by the door is 100 or more.
2. The door is part of a fire assembly.
3. The door is part of a smoke-draft-control assembly.
4. Panic hardware is required or provided on the door.

A double-acting door shall be provided with a view panel of not less than 200 square inches (0.129 m²).

1004.3 Type of Lock or Latch. Exit doors shall be operable from the inside without the use of a key or any special knowledge or effort.

EXCEPTIONS: 1. In Groups B, F, M and S Occupancies, key-locking hardware may be used on the main exit when the main exit consists of a single door or pair of doors if there is a readily visible, durable sign on or adjacent to the door stating THIS DOOR MUST REMAIN UNLOCKED DURING BUSINESS HOURS. The sign shall be in letters not less than 1 inch (25 mm) high on a contrasting background. When unlocked, the single door or both leaves of a pair of doors must be free to swing without operation of any latching device. The use of this exception may be revoked by the building official for due cause.
2. Exit doors from individual dwelling units; Group R, Division 3 congregate residences; and guest rooms of Group R Occupancies having an occupant load of 10 or less may be provided with a night latch, dead bolt or security chain, provided such devices are operable from the inside without the use of a key or tool and mounted at a height not to exceed 48 inches (1219 mm) above the finished floor.

Manually operated edge- or surface-mounted flush bolts and surface bolts are prohibited. When exit doors are used in pairs and approved automatic flush bolts are used, the door leaf having the automatic flush bolts shall have no doorknob or surface-mounted hardware. The unlatching of any leaf shall not require more than one operation.

EXCEPTIONS: 1. Group R, Division 3 Occupancies.
2. When a pair of doors serving a room not normally occupied are needed for the movement of equipment, manually operated edge or surface bolts may be used and a door closer need not be provided on the inactive leaf.

1004.4 Panic Hardware. Panic hardware, when installed, shall comply with the requirements of U.B.C. Standard 10-4. The activating member shall be mounted at a height of not less than 30 inches (762 mm) or more than 44 inches (1118 mm) above the floor. The unlatching force shall not exceed 15 pounds (66.72 N) when applied in the direction of exit travel.

When balanced doors are used and panic hardware is required, panic hardware shall be of the push-pad type and the pad shall not extend across more than one half of the width of the door measured from the latch side.

1004.5 Special Egress-control Devices. When approved by the building official, exit doors in Group B; F, Division 1; Group I, Divisions 1.1, 1.2 and 2; Group M and Group LC Occupancies may be equipped with approved listed special egress-control devices, provided the building is protected throughout by an approved automatic sprinkler system and an approved automatic smoke-detection system. Such devices shall conform to all of the following:

1. Automatically deactivate the egress-control device upon activation of either the sprinkler system or the detection system.

2. Automatically deactivate the egress-control device upon loss of electrical power to any one of the following:

2.1 The egress-control device.

2.2 The smoke-detection system.

2.3 Exit illumination as required by Section 1012.

3. Be capable of being deactivated by a signal from a switch located in an approved location.

4. Initiate an irreversible process which will deactivate the egress-control device whenever a manual force of not more than 15 pounds (66.72 N) is applied for two seconds to the panic bar or other door-latching hardware. The egress-control device shall deactivate within an approved time period not to exceed a total of 15 seconds. The time delay established for each egress-control device shall not be field adjustable.

5. Actuation of the panic bar or other door-latching hardware shall activate an audible signal at the door.

6. The unlatching shall not require more than one operation.

A sign shall be provided on the door located above and within 12 inches (305 mm) of the panic bar or other door-latching hardware reading:

KEEP PUSHING. THE DOOR WILL OPEN IN _____ SECONDS. ALARM WILL SOUND.

Sign letter shall be at least 1 inch (25 mm) in height and shall have a stroke of not less than 1/8 inch (3.2 mm).

Regardless of the means of deactivation, relocking of the egress-control device shall be by manual means only at the door.

EXCEPTION: Subject to the approval of the building official, special units for the care of dementia patients in nursing homes which are identified and approved by the state agency licensing such units, may use special egress-control devices where a panic bar is not part of the egress-control mechanism.

1004.6 Width and Height. Every required exit doorway shall be of a size as to permit the installation of a door not less than 3 feet (914 mm) in width and not less than 6 feet 8 inches (2032 mm) in height. When installed, exit doors shall be capable of opening so that the clear width of the exit is not less than 32 inches (813 mm). In computing the exit width required by Section 1003.2, the net dimension of the exitway shall be used.

1004.7 Door Leaf Width. A single leaf of an exit door shall not exceed 4 feet (1219 mm) in width.

1004.8 Special Doors. Revolving, sliding and overhead doors shall not be used as required exits. Where revolving or overhead doors or turnstiles are used, an adjacent accessible gate or door shall be provided where an accessible route is required by Chapter 11.

EXCEPTION: Horizontal sliding doors complying with U.B.C. Standard 7-8 may be used:

1. In elevator lobby separations.
2. Other than Group A and H Occupancies, where smoke barriers are required.
3. When serving an occupant load of less than 50 in any occupancy other than a Group H Occupancy.

Power-operated doors complying with U.B.C. Standard 10-1 may be used for exit purposes. Such doors when swinging shall have two guide rails installed on the swing side projecting out from the face of the door jambs for a distance not less than the widest door leaf. Guide rails shall not be less than 30 inches (762 mm) in height with solid or mesh panels to prevent penetration into door swing and shall be capable of resisting a horizontal load at top of rail of not less than 50 pounds per lineal foot (730 N/m).

EXCEPTIONS:

1. Walls or other type separators may be used in lieu of the above guide rail, provided all the criteria are met.
2. Guide rails in industrial or commercial occupancies not accessible to the public may conform with the exception to Section 509.3.
3. Doors swinging toward flow of traffic shall not be permitted for use by untrained pedestrian traffic unless actuating devices start to function at least 8 feet 11 inches (2718 mm) beyond the door in an open position and guide rails extend 6 feet 5 inches (1956 mm) beyond the door in an open position.

Clearances for guide rails shall be as follows:

1. Six inches (152 mm) maximum between rails and leading edge of door at the closest point in its arc of travel.

2. Six inches (152 mm) maximum between rails and the door in an open position.

3. Two inches (51 mm) minimum between rail at hinge side and door in an open position.

4. Two inches (51 mm) maximum between freestanding rails and jamb or other adjacent surface.

1004.9 Floor Level at Doors. Regardless of the occupant load, there shall be a floor or landing on each side of a door. When access for persons with disabilities is required by Chapter 11, the floor or landing shall not be more than 1/2 inch (13 mm) lower than the threshold of the doorway. When such access is not required, such dimension shall not exceed 1 inch (25 mm). Landings shall be level except for exterior landings, which may have a slope not to exceed 1/4 unit vertical in 12 units horizontal (2% slope).

EXCEPTIONS:

1. In Group R, Division 3, and Group U Occupancies and within individual units of Group R, Division 1 Occupancies:

- 1.1. A door may open at the top of an interior flight of stairs, provided the door does not swing over the top step.
- 1.2. A door may open at a landing that is not more than 8 inches (203 mm) lower than the floor level, provided the door does not swing over the landing.
- 1.3. Screen doors and storm doors may swing over stairs, steps or landings.

2. Doors serving building equipment rooms which are not normally occupied.
3. At exterior sliding doors within accessible dwelling units, the floor or landing may be no more than 3/4 inch (19 mm) lower than the threshold of the doorway, including the sliding door tracks, provided that an additional accessible entrance door is provided into the dwelling unit.

1004.10 Landings at Doors. Landings shall have a width of not less than the width of the stairway or the width of the door, whichever is the greater. Doors in the fully open position shall not reduce a required dimension by more than 7 inches (178 mm). When a landing serves an occupant load of 50 or more, doors in any position shall not reduce the landing dimension to less than one half its required width. Landings shall have a length measured in the direction of travel of not less than 44 inches (1118 mm).

EXCEPTION: In Group R, Division 3, and Group U Occupancies and within individual units of Group R, Division 1 Occupancies, such length need not exceed 36 inches (914 mm).

A landing which has no adjoining door shall comply with Section 1006.7.

1004.11 Door Identification. Glass doors shall conform to the requirements specified in Section 2406.

Exit doors shall be marked so that they are readily distinguishable from the adjacent construction.

1004.12 Additional Doors. When additional doors are provided for egress purposes, they shall conform to all provisions of this chapter.

EXCEPTION: Approved revolving doors having leaves which will collapse under opposing pressures may be used in exit situations, provided:

1. Such doors have a minimum width of 6 feet 6 inches (1981 mm).
2. At least one conforming exit door is located adjacent to each revolving door.
3. The revolving door shall not be considered to provide any exit width.

NEW SECTION

WAC 51-30-1005 Section 1005—Corridors and exterior exit balconies.

1005.1 General. This section shall apply to every corridor serving as a required exit for an occupant load of 10 or more except that Section 1005.2 shall apply to all corridors. For the purpose of this section, the term "corridor" shall include exterior exit balconies and covered or enclosed walkways, tunnels and malls. Partitions, rails, counters and similar space dividers not over 5 feet 9 inches (1753 mm) in height above the floor shall not be construed to form corridors.

Exit corridors shall not be interrupted by intervening rooms.

EXCEPTION: Foyers, lobbies or reception rooms constructed as required for corridors shall not be construed as intervening rooms.

Corridors which are located within an accessible route of travel shall also comply with Chapter 11.

For Group I Occupancies see Section 1019.3.

1005.2 Width. The minimum corridor width shall be determined as specified in Section 1003.2, but shall not be less than 44 inches (1118 mm), except as specified herein.

Corridors serving an occupant load of 49 or less shall not be less than 36 inches (914 mm) in width. For special requirements for Groups E and I Occupancies, see Sections 1017 and 1019.

1005.3 Height. Corridors and exterior exit balconies shall have a clear height of not less than 7 feet (2134 mm) measured to the lowest projection from the ceiling.

1005.4 Projections. The required width of corridors shall be unobstructed.

EXCEPTION: Handrails and doors, when fully opened, shall not reduce the required width by more than 7 inches (178 mm). Doors in any position shall not reduce the required width by more than one half. Other nonstructural projections such as trim and similar decorative features may project into the required width 1/2 inches (38 mm) on each side.

1005.5 Access to Exits. When more than one exit is required, they shall be so arranged that it is possible to go in either direction from any point in a corridor to a separate exit, except for dead ends not exceeding 20 feet (6096 mm) in length.

1005.6 Changes in Elevation. When a corridor or exterior exit balcony is accessible to the handicapped, changes in elevation of the floor shall be made by means of a ramp, except as provided for doors by Section 1004.9.

1005.7 Construction. Walls of corridors serving a Group R, Division 1 or Group I Occupancy having an occupant load of 10 or more and walls of corridors serving other occupancies having an occupant load of 30 or more shall be of not less than one-hour fire-resistive construction and the ceilings shall not be less than that required for a one-hour fire-resistive floor or roof system.

- EXCEPTIONS:**
1. One-story buildings housing Group S, Division 2 Occupancies.
 2. Corridors more than 30 feet (9144 mm) in width where occupancies served by such corridors have at least one exit independent from the corridor. (See Chapter 4 for covered malls.)
 3. Exterior sides of exterior exit balconies.
 4. In Group I, Division 3 Occupancies such as jails, prisons, reformatories and similar buildings with open-barred cells forming corridor walls, the corridors and cell doors need not be fire resistive.
 5. Corridor walls and ceilings need not be of fire-resistive construction within office spaces having an occupant load of 100 or less when the entire story in which the space is located is equipped with an automatic sprinkler system throughout and an automatic smoke-detection system installed within the corridor. The actuation of any detector shall activate alarms audible in all areas served by the corridor.
 6. In other than Type I or II construction, exterior exit balcony roof assemblies may be of heavy-timber construction without concealed spaces.
 7. Within office spaces occupied by a single tenant, partial height partitions which form corridors and which do not exceed 6 feet (1829 mm) in height need not be fire resistive, provided they are constructed in accordance with Section 601.5 and are not more than three fourths of the floor-to-ceiling height.
 8. Corridor walls and ceilings need not be of fire-resistive construction within office spaces having an occupant load of 100 or less when the building in which the space is located is equipped with an automatic sprinkler system throughout.

When the ceiling of the entire story is an element of a one-hour fire-resistive floor or roof system, the corridor walls may terminate at the ceiling. When the room-side fire-resistive membrane of the corridor wall is carried through to

the underside of a fire-resistive floor or roof above, the corridor side of the ceiling may be protected by the use of ceiling materials as required for one-hour floor or roof system construction or the corridor ceiling may be of the same construction as the corridor walls.

Ceilings of noncombustible construction may be suspended below the fire-resistive ceiling.

For wall and ceiling finish requirements, see Table 8-B.

For restrictions on the use of corridors to convey air, see Chapter 10 of the Mechanical Code.

1005.8 Openings.

1005.8.1 Doors. When corridor walls are required to be of one-hour fire-resistive construction by Section 1005.7, every interior door opening shall be protected by a tight-fitting smoke- and draft-control assembly having a fire-protection rating of not less than 20 minutes when tested in accordance with U.B.C. Standard 7-2. Said doors shall not have louvers. The door and frame shall bear an approved label or other identification showing the rating thereof, the name of the manufacturer and the identification of the service conducting the inspection of materials and workmanship at the factory during fabrication and assembly. Doors shall be maintained self-closing or shall be automatic closing by actuation of a smoke detector in accordance with Section 713.2. Smoke- and draft-control door assemblies shall be provided with a gasket so installed as to provide a seal where the door meets the stop on both sides and across the top.

EXCEPTIONS:

1. Viewports may be installed if they require a hole not larger than 1 inch (25 mm) in diameter through the door, have at least a 1/4-inch-thick (6.4 mm) glass disc and the holder is of metal which will not melt out when subject to temperatures of 1,700°F. (927°C).
2. Protection of openings in the interior walls of exterior exit balconies is not required when it is possible to exit in two directions.

1005.8.2 Openings other than doors. Where corridor walls are required to be of one-hour fire-resistive construction by Section 1005.7, interior openings for other than doors or ducts shall be protected by fixed glazing listed and labeled for a fire-protection rating of at least three-fourths hour in accordance with Section 713.9. The total area of all openings, other than doors, in any portion of an interior corridor shall not exceed 25 percent of the area of the corridor wall of the room which it is separating from the corridor. For duct openings, see Sections 713.10 and 713.11.

EXCEPTION: Protection of openings in the interior walls of exterior exit balconies is not required when it is possible to exit in two directions.

1005.9 Location on Property. Exterior exit balconies shall not be located in areas where openings are not permitted or where openings are required to be protected due to location on the property.

1005.10 Elevators. Elevators opening into a corridor serving a Group R, Division 1 or Group I Occupancy having an occupant load of 10 or more, or a corridor serving other occupancies having a occupant load of 30 or more shall be provided with an elevator lobby at each floor containing

such a corridor. The lobby shall completely separate the elevators for the corridor by construction conforming to Section 1005.7 and all openings into the lobby wall contiguous with the corridor shall be protected as required by Section 1005.8.

EXCEPTIONS:

1. In office buildings classed as Group B Occupancies, separations need not be provided from a street floor lobby, provided the entire street floor is protected with an automatic sprinkler system.
2. Elevators not required to meet the shaft enclosure requirements of Section 711.
3. When additional doors are provided in accordance with Section 3007.
4. Where elevator shafts are pressurized in accordance with Section 905, elevator lobbies need not be provided.

Elevator lobbies shall comply with Section 3002.

In fully sprinklered office buildings, corridors may lead through enclosed elevator lobbies if all areas of the building have access to at least one required exit without passing through the elevator lobby.

NEW SECTION

WAC 51-30-1006 Section 1006—Stairways.

1006.1 General. Every stairway having two or more risers serving any building or portion thereof shall conform to the requirements of this section. When aisles in assembly rooms have steps, they shall conform with provisions in Section 1014.

EXCEPTIONS:

1. Stairs or ladders used only to attend equipment or window wells are exempt from the requirements of this section.
2. Stairs or ladders within an individual dwelling unit used to gain access to areas of 200 square feet (18.6 m²) or less, and not containing the primary bathroom or kitchen, are exempt from the requirements of this section.

Stairways located in a building required to be accessible shall also comply with Chapter 11.

1006.2 Width. The minimum stairway width shall be determined as specified in Section 1003.2, but shall not be less than 44 inches (1118 mm) except as specified herein and in Chapter 11. Stairways serving an occupant load of 49 or less shall not be less than 36 inches (914 mm) in width.

Handrails may project into the required width a distance of 3 1/2 inches (89 mm) from each side of a stairway. Stringers and other projections such as trim and similar decorative features may project into the required width 1 1/2 inches (38 mm) on each side.

1006.3 Rise and Run. The rise of steps shall not be less than 4 inches (102 mm) or greater than 7 1/2 inches (190 mm). Except as permitted in Sections 1006.4 and 1006.6, the run shall not be less than 10 inches (254 mm), as measured horizontally between the vertical planes of the furthest projections of adjacent treads. Except as permitted in Sections 1006.4, 1006.5 and 1006.6, the largest tread run within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

- EXCEPTIONS:**
1. Private steps and stairways serving an occupant load of less than 10 and stairways to unoccupied roofs may be constructed with an 8-inch-maximum (203 mm) rise and a 9-inch-minimum (229 mm) run.
 2. Where the bottom or top riser adjoins a sloping public way, walk or driveway having an established grade and serving as a landing, the bottom or top riser may be reduced along the slope.

Where Exception 2 to Section 1103.2.2 is used in a building design, the run of stair treads shall not be less than 11 inches (279 mm), as measured horizontally between the vertical planes of the furthestmost projections of adjacent tread. The largest tread within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

1006.4 Winding Stairways. In Group R, Division 3 Occupancies and in private stairways in Group R, Division 1 Occupancies, winders may be used if the required width of run is provided at a point not more than 12 inches (305 mm) from the side of the stairway where the treads are narrower, but in no case shall any width of run be less than 6 inches (152 mm) at any point.

1006.5 Circular Stairways. Circular stairways may be used as an exit, provided the minimum width of run is not less than 10 inches (254 mm) and the smaller radius is not less than twice the width of the stairway. The largest tread width or riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

1006.6 Spiral Stairways. In Group R, Division 3 Occupancies and in private stairways within individual units of Group R, Division 1 Occupancies, spiral stairways may be installed. Such stairways may be used for required exits when the area served is limited to 400 square feet (37.16 m²).

The tread must provide a clear walking area measuring at least 26 inches (660 mm) from the outer edge of the supporting column to the inner edge of the handrail. A run of at least 7 1/2 inches (191 mm) is to be provided at a point 12 inches (305 mm) from where the tread is the narrowest. The rise must be sufficient to provide 6-foot 6-inch (1981 mm) headroom. The rise shall not exceed 9 1/2 inches (241 mm).

1006.7 Landings. Stairways shall have landings at the top and bottom. Every landing shall have a dimension measured in the direction of travel not less than the width of the stairway. Such dimension need not exceed 44 inches (1118 mm) when the stair has a straight run. There shall not be more than 12 feet (3658 mm) vertically between landings. For landings with adjoining doors, see Section 1004.10.

EXCEPTION: Stairs serving an unoccupied roof are exempt from these provisions.

1006.8 Basement Stairways. When a basement stairway and a stairway to an upper story terminate in the same exit enclosure, an approved barrier shall be provided to prevent persons from continuing on into the basement. Directional exit signs shall be provided as specified in Section 1013.

1006.9 Handrails. Stairways shall have handrails on each side, and every stairway required to be more than 88 inches (2235 mm) in width shall be provided with not less than one intermediate handrail for each 88 inches (2235 mm) of required width. Intermediate handrails shall be spaced

approximately equally across the entire width of the stairway.

- EXCEPTIONS:**
1. Stairways less than 44 inches (1118 mm) in width or stairways serving one individual dwelling unit in Group R, Division 1 or 3 Occupancies or a Group R, Division 3 congregate residence may have one handrail. This exception shall not be used concurrently with the second exception to the first paragraph of Section 1103.2.2.
 2. Private stairways 30 inches (762 mm) or less in height may have handrails on one side only. This exception shall not be used concurrently with the second exception to the first paragraph of Section 1103.2.2.
 3. Stairways having less than four risers and serving one individual dwelling unit in Group R, Division 1 or 3, or a Group R, Division 3 congregate residence or serving Group U Occupancies need not have handrails.

The top of handrails and handrail extensions shall be placed not less than 34 inches (864 mm) or more than 38 inches (965 mm) above the nosing of treads and landings. Handrails shall be continuous the full length of the stairs and, except for private stairways, at least one handrail shall extend in the direction of the stair run not less than 12 inches (305 mm) beyond the top riser nor less than a length equal to one tread depth plus 12 inches (305 mm) beyond the bottom riser. Ends shall be returned or shall terminate in newel posts or safety terminals.

The handgrip portion of handrails shall not be less than 1 1/4 (32 mm) inches nor more than 2 inches (51 mm) in cross-sectional dimension or the shape shall provide an equivalent gripping surface. The handgrip portion of handrails shall have a smooth surface with no sharp corners.

Handrails projecting from a wall shall have a space of not less than 1 1/2 inches (38 mm) between the wall and the handrail.

1006.10 Guardrails. Stairways open on one or both sides shall have guardrails as required by Section 1001.5.

1006.11 Protection of Exterior Wall Openings. Except in Group R, Division 3 Occupancies, all openings in the exterior wall below and within 10 feet (3048 mm), measured horizontally, of an exterior exit stairway or unprotected openings in an interior exit stairway serving a building over two stories in height or a floor level having such openings in two or more floors below shall be protected by fixed, self-closing, or automatic-closing fire assemblies having a three-fourths-hour fire-protection rating.

- EXCEPTIONS:**
1. Openings may be unprotected when two separated exterior stairways serve an exterior exit balcony.
 2. Protection of openings is not required for open parking garages conforming to Section 405.

1006.12 Interior Stairway Construction. Interior stairways shall be constructed as specified in Sections 602.4, 603.4, 604.4, 605.4 and 606.4.

Except when enclosed usable space under stairs is prohibited by Section 1009.6, the walls and soffits of the enclosed space shall be protected on the enclosed side as required for one-hour fire-resistive construction.

All required interior stairways which extend to the top floor in any building four or more stories in height shall have, at the highest point of the stair shaft, an approved hatch openable to the exterior not less than 16 square feet

(1.5 m²) in area with a minimum dimension of 2 feet (610 mm).

EXCEPTION: The hatch need not be provided on pressurized enclosures or on stairways that extend to the roof with an opening onto that roof.

Stairways exiting directly to the exterior of a building four or more stories in height shall be provided with means for emergency entry for fire department access.

1006.13 Exterior Stairway Construction. Exterior stairways shall be constructed as specified in Sections 602.4, 603.4, 604.4, 605.4 and 606.4.

Exterior stairways shall not project into yards where openings are not permitted or protection of openings is required.

Enclosed usable space under stairs shall have the walls and soffits protected on the enclosed side as required for one-hour fire-resistive construction.

Stairways exiting directly to the exterior of a building four or more stories in height shall be provided with means for emergency entry for fire department access.

1006.14 Stairway to Roof. In buildings four or more stories in height, one stairway shall extend to the roof surface, unless the roof has a slope greater than 4 in 12. See Section 1006.12 for roof hatch requirements.

1006.15 Headroom. Every stairway shall have a headroom clearance of not less than 6 feet 8 inches (2032 mm). Such clearances shall be measured vertically from a plane parallel and tangent to the stairway tread nosings to the soffit above at all points.

1006.16 Stairway Identification. Approved stairway identification signs shall be located at each floor level in all enclosed stairways in buildings four or more stories in height. The sign shall identify the stairway, indicate whether there is roof access, the floor level, and the upper and lower terminus of the stairway. The sign shall be located approximately 5 feet (1524 mm) above the floor landing in a position which is readily visible when the door is in the open or closed position. Signs shall comply with requirements of U.B.C. Standard 10-2. Each door to a floor level also shall have a tactile sign, including raised letters and Braille, identifying the floor level and shall comply with Part IV of Chapter 11.

NEW SECTION

WAC 51-30-1007 Section 1007—Ramps.

1007.1 General. Except for ramped aisles in assembly rooms, ramps used as exits shall conform to the provisions of this section. Ramped aisles within assembly rooms shall conform with the provisions in Section 1014. Ramps which are located within an accessible route of travel shall also comply with Chapter 11.

1007.2 Width. The width of ramps shall be determined as specified in Section 1003.2, but shall not be less than 44 inches (1118 mm), except as specified herein. Ramps serving an occupant load of 49 or less shall not be less than 36 inches (914 mm) in width.

Handrails may project into the required width a distance of 3 1/2 inches (89 mm) from each side of a ramp. Other projections, such as trim and similar decorative features, may project into the required width 1 1/2 inches (38 mm) on each side.

1007.3 Slope. The slope of ramps required by Chapter 11 which are located within an accessible route of travel shall not be steeper than 1 unit vertical in 12 units horizontal (8% slope). The slope of other ramps shall not be steeper than 1 unit vertical in 8 units horizontal (12.5% slope).

1007.4 Landings. Ramps having slopes steeper than 1 unit vertical in 15 units horizontal (6.7% slope) shall have landings at the top and bottom, and at least one intermediate landing shall be provided for each 5 feet (1524 mm) of rise. Top landings and intermediate landings shall have a dimension measured in the direction of ramp run of not less than 5 feet (1524 mm). Landings at the bottom of ramps shall have a dimension in the direction of ramp run of not less than 6 feet (1829 mm). Landings shall provide maneuvering clearances at doors as required in Chapter 11.

EXCEPTION: Ramps with slopes no steeper than 1 unit vertical in 12 units horizontal (8% slope) may have landings at the bottom in the direction of ramp run not less than 5 feet (1524 mm) in length.

1007.5 Handrails. Ramps having slopes steeper than 1 unit vertical in 20 units horizontal (5.0% slope) shall have handrails as required for stairways, except that intermediate handrails shall not be required. At least one handrail shall extend in the direction of ramp run not less than 12 inches (305 mm) horizontally beyond the top and bottom of the ramp runs. Ramped aisles need not have handrails on sides serving fixed seating.

1007.6 Construction. Ramps shall be constructed as required for stairways.

1007.7 Surface. The surface of ramps shall be roughened or shall be of slip-resistant materials.

1007.8 Guardrails. Ramps open on one or both sides shall have guardrails as required by Section 509.

1007.9 Headroom. Ramps shall have a headroom clearance of not less than 7 feet (2134 mm). Such clearances shall be measured vertically from the finished floor surface of the ramp and landings to the soffit above at all points.

NEW SECTION

WAC 51-30-1009 Section 1009—Stairway, Ramp and Escalator Enclosures.

1009.1 General. Interior stairways, ramps or escalators shall be enclosed as specified in this section.

- EXCEPTIONS:**
1. In other than Groups H and I Occupancies, an enclosure need not be provided for a stairway, ramp or escalator serving only one adjacent floor. Any two such interconnected floors shall not be open to other floors. For enclosure of escalators serving Group B Occupancies, see Section 304.6.
 2. Stairs in Group R, Division 3 Occupancies and stairs within individual dwelling units in Group R, Division 1 Occupancies need not be enclosed.
 3. Stairs in open parking garages, as defined in Section 311.9, need not be enclosed.

1009.2 Enclosure Construction. Enclosure walls shall not be of less than two-hour fire-resistive construction in buildings four or more stories in height or of Types I and II fire-resistive construction and shall not be of less than one-hour fire-resistive construction elsewhere.

EXCEPTION: In sprinkler-protected parking garages restricted to the storage of private or pleasure-type motor vehicles, stairway enclosures may be enclosed with glazing meeting the requirements of Sections 713.7, 713.8 and 713.9.

1009.3 Openings into Enclosures. Openings into exit enclosures other than permitted exterior openings shall be limited to those necessary for exiting from a normally occupied space into the enclosure and exiting from the enclosure. Other penetrations into and opening through the exit enclosure are prohibited except for ductwork and equipment necessary for independent stair pressurization, sprinkler piping, standpipes and electrical conduit serving the stairway and terminating in a listed box not exceeding 16 square inches (10 323 mm²) in area. Penetrations and communicating openings between adjacent exit enclosures are not permitted regardless of whether the opening is protected.

All exit doors in an exit enclosure shall be protected by a fire assembly having a fire-protection rating of not less than one hour where one-hour enclosure construction is permitted in Section 1009.2 and one and one-half hours where two-hour enclosure construction is required by Section 1009.2. Doors shall be maintained self-closing or shall be automatic closing by actuation of a smoke detector as provided for in Section 713.2. The maximum transmitted temperature end point shall not exceed 450°F. (232°C.) above ambient at the end of 30 minutes of the fire exposure specified in U.B.C. Standard 7-2.

1009.4 Extent of Enclosure. Stairway and ramp enclosures shall include landings and parts of floors connecting stairway flights and shall also include a corridor or exit passageway on the ground floor leading from the stairway to the exterior of the building. Openings into the corridor or exit passageway shall comply with the requirements of Section 1009.3.

EXCEPTIONS:

1. Enclosed corridors or exit passageways are not required from unenclosed stairways or ramps.
2. In office buildings, a maximum of 50 percent of the exits may discharge through a street-floor lobby, provided the required exit width is free and unobstructed and the entire street floor is protected with an automatic sprinkler system.

1009.5 Barrier. A stairway in an exit enclosure shall not continue below the grade level exit unless an approved barrier is provided at the ground-floor level to prevent persons from accidentally continuing into the basement.

1009.6 Use of Space under Stair and Ramp. There shall be no enclosed usable space under stairways or ramps in an exit enclosure, nor shall the open space under such stairways be used for any purpose.

1009.7 Pressurized Enclosure. In a building having a floor used for human occupancy which is located more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access, the entire required enclosure shall be pressurized in accordance with Section 905 of this code and this section. Pressurization shall occur automatically upon activation of an approved fire alarm system.

EXCEPTION: When the building is not equipped with a fire alarm system, pressurization shall be upon activation of a spot-type smoke detector listed for releasing service installed within 5 feet (1524 mm) of each vestibule entry.

The upper portion of such enclosures shall be provided with controlled relief vent capable of discharging a minimum of 2,500 cubic feet per minute (1180 L/s) of air at the design pressure difference.

Such enclosures shall be provided with a pressurized entrance vestibule.

1009.8 Vestibules. When required by Section 1009.7, vestibules shall meet the following requirements:

1. Where a wheelchair space is provided, such space shall not obstruct the required exit width and shall not interfere with access to or use of fire department hose connections and valves.

2. Emergency illumination shall be provided to maintain a minimum of 30 footcandles (323 lx) on the floor.

3. Fire department connections and valves serving the floor shall be located within the vestibule and in such a manner as to not obstruct exiting when hose lines are connected and charged.

4. The minimum pressure differences within the vestibule with the doors closed shall be 0.05 inch water gage (12.44 Pa) positive pressure relative to the fire floor and 0.05 inches water gage (12.44 Pa) negative relative to the exit enclosure. No pressure difference is required relative to a nonfire floor.

For areas of refuge, see Section 1104.

NEW SECTION

WAC 51-30-1014 Section 1014—Aisles.

1014.1 General. Aisles leading to required exits shall be provided from all portions of buildings. Aisles located within an accessible route of travel shall also comply with Chapter 11.

1014.2 Width in Occupancies without Fixed Seats. The width of aisles in occupancies without fixed seats shall comply with this section. Aisle widths shall be provided in accordance with the following:

1. In areas serving employees only, the minimum aisle width shall be 24 inches (610 mm) but not less than the width required by the number of employees served.

2. In public areas of Groups B and M Occupancies, and in assembly occupancies without fixed seats, the minimum clear aisle width shall be 36 inches (914 mm) where tables, counters, furnishings, merchandise or other similar obstructions are placed on one side of the aisle only and 44 inches (1118 mm) when such obstructions are placed on both sides of the aisle.

1014.3 Width in Assembly Occupancies with Fixed Seats. Aisles in assembly occupancies with fixed seats shall comply with this section. The clear width of aisles shall be based on the number of occupants within the portion of the seating areas served by the aisle.

The clear width of an aisle in inches shall not be less than the occupant load served by the aisle multiplied by 0.3 for aisles with slopes greater than 1 unit vertical to 8 units horizontal (12.5% slope) and not less than 0.2 for aisles with a slope of 1 unit vertical to 8 units horizontal (12.5% slope) or less. In addition, when the rise of steps in aisles exceeds 7 inches (178 mm), the aisle clear width shall be increased by 1 1/4 inches (32 mm) for each 100 occupants or fraction thereof served for each 1/4 inch (6.35 mm) of riser height above 7 inches (178 mm).

EXCEPTION: For buildings with smoke-protected assembly seating and for which an approved life-safety evaluation is conducted, the minimum clear width of aisles and other means of egress may be in accordance with Table 10-C. For Table 10-C, the number of seats specified must be within a single assembly area, and interpolation shall be permitted between the specified values shown. If Table 10-C is used the minimum clear widths shown shall be modified in accordance with the following:

1. If risers exceed 7 inches (178 mm) in height, multiply the stair width in the tables by factor A, where

$$A = 1 + \frac{(\text{riser height} - 7.0 \text{ in.})}{5}$$

For SI:

$$A = 1 + \frac{(\text{riser height} - 178 \text{ mm})}{127}$$

2. Stairs not having a handrail within a 30-inch (760 mm) horizontal distance shall be 25 percent wider than otherwise calculated, i.e., multiply by B = 1.25
3. Ramps steeper than 1 in 10 slope where used in ascent shall have their width increased by 10 percent, i.e., multiply factor C = 1.10.

Where exiting is possible in two directions, the width of such aisles shall be uniform throughout their length.

When aisles converge to form a single path of exit travel, the aisle width shall not be less than the combined required width of the converging aisles.

In assembly rooms with fixed seats arranged in rows, the clear width of aisles shall not be less than set forth above or less than the following:

Forty-eight inches (1219 mm) for stairs having seating on both sides.

Thirty-six inches (914 mm) for stairs having seating on one side.

Twenty-three inches (584 mm) between a stair handrail and seating when the aisles are subdivided by the handrail.

Forty-two inches (1067 mm) for level or ramped aisles having seating on both sides.

Thirty-six inches (914 mm) for level or ramped aisles having seating on one side.

Twenty-three inches (584 mm) between a stair handrail and seating when an aisle does not serve more than five rows on one side.

1014.4 Aisle Termination. Aisles shall terminate at a cross aisle, foyer, doorway or vomitory. Aisles shall not have a dead end greater than 20 feet (6096 mm) in length.

EXCEPTION: A longer dead-end aisle is permitted when seats served by the dead-end aisle are not more than 24 seats from another aisle measured along a row of seats having a minimum clear width of 12 inches (305 mm) plus 0.6 inches (15 mm) for each additional seat above seven in a row.

Each end of a cross aisle shall terminate at an aisle, foyer, doorway or vomitory.

1014.5 Ramp Slope. The slope of ramped aisles shall not be more than 1 unit vertical in 8 units horizontal (12.5% slope). Ramped aisles shall have a slip-resistant surface.

EXCEPTION: When provided with fixed seating, theaters may have a slope not steeper than 1 unit vertical in 5 units horizontal (20% slope).

1014.6 Aisle Steps.

1014.6.1 When prohibited. Steps shall not be used in aisles having a slope of 1 unit in 8 units horizontal (12.5% slope) or less.

1014.6.2 When required. Aisles with a slope steeper than 1 unit vertical in 8 units horizontal (12.5% slope) shall consist of a series of risers and treads extending across the entire width of the aisle, except as provided in Section 1014.5.

The height of risers shall not be more than 7 inches (178 mm) or less than 4 inches (102 mm) and the tread run shall not be less than 11 inches (279 mm). The riser height shall be uniform within each flight and the tread run shall be uniform throughout the aisle. Variations in run or height between adjacent treads or risers shall not exceed 3/16 inch (4.8 mm). A contrasting marking stripe or other approved marking shall be provided on each tread at the nosing or leading edge such that the location of each tread is readily apparent when viewed in descent. Such stripe shall be a minimum of 1 inch (25 mm) wide and a maximum of 2 inches (51 mm) wide.

EXCEPTION: When the slope of aisle steps and the adjoining seating area is the same, the riser heights may be increased to a maximum of 9 inches (229 mm) and may be nonuniform but only to the extent necessitated by changes in the slope of the adjoining seating area to maintain adequate sightlines. Variations may exceed 3/16 inch (4.8 mm) between adjacent risers provided the exact location of such variations is identified with a marking stripe in each tread at the nosing or leading edge adjacent to the nonuniform riser. The marking stripe shall be distinctively different from the contrasting marking stripe.

1014.7 Handrails. Handrails shall comply with the height, size and shape dimensions set forth in Section 1006.9 and shall have rounded terminations or bends. Ramped aisles having a slope steeper than 1 unit vertical in 15 units horizontal (6.7% slope) and aisle stairs (two or more adjacent steps) shall have handrails located either at the side or within the aisle width. Handrails may project into the required aisle width a distance of 3 1/2 inches (89 mm).

- EXCEPTIONS:**
1. Handrails may be omitted on ramped aisles having a slope not greater than 1 unit vertical in 8 units horizontal (12.5% slope) when fixed seating is on both sides of the aisle.
 2. Handrails may be omitted when a guardrail is at the side of an aisle which conforms to the size and shape requirements for handrails.

PERMANENT

Handrails located within the aisle width shall be discontinuous with gaps or breaks at intervals not to exceed five rows. These gaps or breaks shall have a clear width of not less than 22 inches (559 mm) or more than 36 inches (914 mm) measured horizontally. Such handrails shall have an additional intermediate handrail located 12 inches (305 mm) below the main handrail.

NEW SECTION

WAC 51-30-1019 Group I Occupancies.

1019.1 Exterior Doors. All required exterior exit doors shall open in the direction of exit travel.

1019.2 Minimum Size of Exits. The clear width of exits serving areas occupied or used by bed or litter patients shall be such that it will allow ready passage of such equipment, but shall not be less than 44 inches (1118 mm). Other exits shall have a clear width of not less than 32 inches (813 mm). There shall be no projections into the clear width.

1019.3 Corridors. The minimum clear width of a corridor shall be determined as specified in Section 1003.2, but shall not be less than 44 inches (1118 mm), except that corridors serving any area housing one or more nonambulatory persons shall not be less than 8 feet (2438 mm) in width.

EXCEPTION: Corridors serving surgical areas of Group I, Division 1.2 Occupancies shall not be less than six feet (1829 mm) in width until reaching an exterior door, enclosed exit stairway or horizontal exit and shall not pass through an adjoining room.

Any change in elevation of the floor in a corridor serving nonambulatory persons shall be made by means of a ramp.

Corridors shall comply with Section 1005 except that in hospitals and nursing homes classified as Group I, Division 1.1 Occupancies the following exceptions apply:

1. Nurses' stations including space for doctors' and nurses' charting and communications constructed as required for corridors need not be separated from corridors.

2. Waiting areas and similar spaces constructed as required for corridors need not be separated from corridors, provided:

2.1 Each space is located to permit direct visual supervision by the facility staff, and

2.2 The space and corridors into which the space opens are in the same smoke compartment and the space is protected by an approved electrically supervised automatic smoke-detection system.

3. Door closers need not be installed on doors to sleeping rooms.

4. Fixed fully tempered or laminated glass in wood or metal frames may be used in corridor walls, provided the glazed area does not exceed 25 percent of the area of the corridor wall of the room.

5. The total area of glass in corridor walls is not limited when the glazing is fixed 1/4-inch-thick (6.4 mm) wired glass in steel frames and the size of individual glazed panel does not exceed 1,296 square inches (0.836 m²).

1019.4 Basement Exits. One exit accessible to every room below grade shall lead directly to the exterior at grade level.

1019.5 Ramps. Group I, Division 1.1 and 1.2 Occupancies housing nonambulatory patients shall have access to a ramp leading from the first story to the exterior of the building at the ground floor level.

1019.6 Hardware. Exit doors serving an area having an occupant load of 50 or more shall not be provided with a latch or lock unless it is panic hardware. Patient room doors shall be readily openable from either side without the use of keys.

EXCEPTIONS:

1. In Group I, Division 1.1 hospitals and nursing homes, locking devices, when approved, may be installed on patient sleeping rooms, provided such devices are readily openable from the patient room side and are readily operable by the facility staff on the other side. When key locks are used on patient room doors, keys shall be located on the floor involved at a prominent location accessible to the staff.
2. In Group I, Division 3 Occupancies, approved locks or safety devices may be used where it is necessary to forcibly restrain personal liberties of inmates or patients.

1019.7 Suites.

1019.7.1 General. A group of rooms in a Group I, Division 1.1, Division 1.2 or Division 2 Occupancy may be considered a suite when it complies with the following:

1. Size. Suites of rooms, other than patient sleeping rooms, shall not exceed 10,000 square feet (928.5 m²) in area. Suites of patient sleeping rooms shall not exceed 5,000 square feet (465 m²) in area.

2. Occupancy separation. Each suite shall be separated from the rest of the building by at least a one-hour fire-resistive occupancy separation.

3. Visual supervision. Each patient sleeping room in the suite shall be located to permit direct and constant visual supervision by the facility staff.

4. Other exits. Exiting for portions of the building outside of a suite shall not require passage through the suite.

1019.7.2 Corridors. One-hour fire-resistive corridor construction is not required within a suite.

1019.7.3 Exits through adjoining rooms. Rooms within suites may have exits through one adjoining room if there is not more than 100 feet (30 480 mm) of travel distance within the suite to an exit corridor, exterior exit door, horizontal exit, exit passageway or enclosed stairway. Rooms other than patient sleeping rooms may have exits through two adjoining rooms where there is not more than 50 feet (15 240 mm) of travel distance within the suite to an exit corridor, exterior exit door, horizontal exit, exit passageway or enclosed stairway.

1019.7.4 Number of exits. Suites shall be provided with exits as required by Table 10-A.

NEW SECTION

WAC 51-30-1030 Table 10-A—Minimum egress requirements.

TABLE 10-A—MINIMUM EGRESS REQUIREMENTS¹

USE ²	MINIMUM OF TWO EXITS OTHER THAN ELEVATORS ARE REQUIRED WHERE NUMBER OF OCCUPANTS IS AT LEAST	OCCUPANT LOAD FACTOR ³ (square feet)
		× 0.0929 for m ²
1. Aircraft hangars (no repair)	10	500
2. Auction rooms	30	7
3. Assembly areas, concentrated use (without fixed seats). Auditoriums Churches and chapels Dance floors Lobby accessory to assembly occupancy Lodge rooms Reviewing stands Stadiums Waiting area	50	7
4. Assembly areas, less-concentrated use Conference rooms Dining rooms Drinking establishments Exhibit rooms Gymnasiums Lounges Stages	50	15
5. Bowling alley (assume no occupant load for bowling lanes)	50	4
6. Children's homes and homes for the aged	6	80
7. Classrooms	50	20
8. Congregate residences	10	200
9. Courtrooms	50	40
10. Dormitories	10	50
11. Dwellings	10	300
12. Exercising rooms	50	50
13. Garage, parking	30	200
14. Hospitals and sanitariums— Health-care center Nursing homes Sleeping rooms Treatment rooms	10 6 10	80 80 80
15. Hotels and apartments	10	200
16. Kitchen—commercial	30	200
17. Library reading room	50	50
18. Locker rooms	30	50

(Continued)

PERMANENT

TABLE 10-A—MINIMUM EGRESS REQUIREMENTS¹—(Continued)

USE ²	MINIMUM OF TWO EXITS OTHER THAN ELEVATORS ARE REQUIRED WHERE NUMBER OF OCCUPANTS IS AT LEAST	OCCUPANT LOAD FACTOR ³ (square feet)
		× 0.0929 for m ²
19. Malls (see Chapter 4)	—	—
20. Manufacturing areas	30	200
21. Mechanical equipment room	30	300
22. Nurseries for children (day care)	7	35
23. Offices	30	100
24. School shops and vocational rooms	50	50
25. Skating rinks	50	50 on the skating area; 15 on the deck
26. Storage and stock rooms	30	300
27. Stores—retail sales rooms		
Basements and ground floor	50	30
Upper floors	50	60
28. Swimming pools	50	50 for the pool area; 15 on the deck
29. Warehouses	30	500
30. All others	50	100

¹Access to, and egress from, buildings for persons with disabilities shall be provided as specified in Chapter 11.
²For additional provisions on number of exits from Groups H and I Occupancies and from rooms containing fuel-fired equipment or cellulose nitrate, see Sections 1018, 1019 and 1020, respectively.
³This table shall not be used to determine working space requirements per person.
⁴Occupant load based on five persons for each alley, including 15 feet (4572 mm) of runway.

PERMANENT

NEW SECTION

WAC 51-30-1100 Chapter 11 Accessibility.

PART I - GENERAL

NEW SECTION

WAC 51-30-1101 Section 1101—Scope.

Section 1101.1 General. Buildings or portions of buildings shall be accessible to persons with disabilities as required by this chapter.

Chapter 11 has been amended to comply with the Federal Fair Housing Act (FFHA) Guidelines as published by the U.S. Department of Housing and Urban Development (March 1991) and the Americans With Disabilities Act (ADA) Guidelines as published by the U.S. Architectural and Transportation Barriers Compliance Board and Department of Justice (July 1991).

Reference is made to Appendix Chapter 11 for FFHA and ADA requirements not regulated by this chapter. See Section 101.3.

1101.2 Design. The design and construction of accessible building elements shall be in accordance with this chapter. For a building, structure or building element to be considered to be accessible, it shall be designed and constructed to the minimum provisions of this chapter.

1101.3 Maintenance of Facilities. Any building, facility, dwelling unit, or site which is constructed or altered to be accessible or adaptable under this chapter shall be maintained accessible and/or adaptable during its occupancy.

1101.4 Alternate Methods. The application of Section 104.2.8 to this chapter shall be limited to the extent that alternate methods of construction, designs, or technologies shall provide substantially equivalent or greater accessibility.

1101.5 Modifications. Where full compliance with this chapter is impractical due to unique characteristics of the terrain, the building official may grant modifications in accordance with Section 104.2.7, provided that any portion of the building or structure that can be made accessible shall be made accessible to the greatest extent practical.

NEW SECTION

WAC 51-30-1102 Section 1102—Definitions.

Section 1102. For the purpose of this chapter certain terms are defined as follows:

ACCESSIBLE is approachable and usable by persons with disabilities.

ACCESS AISLE is an accessible pedestrian space between elements, such as parking spaces, seating, and desks, that provides clearances appropriate for use of the elements.

ACCESSIBLE EXIT is an exit, as defined in Section 1101.2, which complies with this chapter and does not contain stairs, steps, or escalators.

ACCESSIBLE ROUTE OF TRAVEL is a continuous unobstructed path connecting all accessible elements and spaces in an accessible building or facility that can be negotiated by a person using a wheelchair and that is usable by persons with other disabilities.

ALTERATION (See Section 1110).

ALTERATION, SUBSTANTIAL (See Section 1110).

AREA FOR EVACUATION ASSISTANCE is an accessible space which is protected from fire and smoke and which facilitates egress.

AUTOMATIC DOOR is a door equipped with a power-operated mechanism and controls that open and close the door automatically upon receipt of a momentary actuating signal. The switch that begins the automatic cycle may be a photoelectric device, floor mat, or manual switch (see also, Power-assisted Door).

CLEAR is unobstructed.

CLEAR FLOOR SPACE is unobstructed floor or ground space (see Section 1106.2).

COMMON USE AREAS are rooms, spaces or elements inside or outside a building that are made available for use by occupants of and visitors to the building.

CROSS SLOPE is the slope that is perpendicular to the direction of travel.

CURB RAMP is a short ramp cutting through or built up to a curb.

DETECTABLE WARNING is a standardized surface feature built in or applied to walking surfaces or other elements to warn visually impaired persons of hazards on a circulation path.

DWELLING UNIT, TYPE A is an accessible dwelling unit that is designed and constructed in accordance with this chapter to provide greater accessibility than a Type B dwelling unit. (Type A dwelling units constructed in accordance with this Chapter also meet the design standards for Type B dwelling units.)

DWELLING UNIT, TYPE B is an accessible dwelling unit that is designed and constructed in accordance with this chapter. (Type B Dwelling Unit Standards are based on the U.S. Department of Housing and Urban Development (HUD) Federal Fair Housing Act Accessibility Guidelines.)

ELEMENT is an architectural or mechanical component of a building, facility, space, or site, such as telephones, curb ramps, doors, drinking fountains, seating, or water closets.

GROUND FLOOR is any occupiable floor less than one story above or below grade with direct access to grade. A building may have more than one ground floor.

LANDING is a level area (except as otherwise provided), within or at the terminus of a stair or ramp.

MARKED CROSSING is a crosswalk or other identified path intended for pedestrian use in crossing a vehicular way.

MULTISTORY DWELLING UNIT is a dwelling unit with finished living space located on one floor, and the floor or floors immediately above or below it.

PATH OF TRAVEL (See Section 1110).

PERSON WITH DISABILITY is an individual who has an impairment, including a mobility, sensory, or cogni-

tive impairment, which results in a functional limitation in access to and use of a building or facility.

POWER-ASSISTED DOOR is a door used for human passage, with a mechanism that helps to open the door, or relieve the opening resistance of a door, upon the activation of a switch or a continued force applied to the door itself.

PRIMARY ENTRANCE is a principal entrance through which most people enter the building. A building may have more than one primary entrance.

PRIMARY ENTRANCE LEVEL is the floor or level of the building on which the primary entrance is located.

PRIMARY FUNCTION is a major function for which the facility is intended.

PUBLIC USE AREAS are those interior or exterior rooms or spaces which are made available to the general public. Public use may be provided at a privately or publicly owned building or facility.

RAMP is any walking surface having a running slope exceeding 1 unit vertical in 48 units horizontal.

SERVICE ENTRANCE is an entrance intended primarily for delivery of goods or services.

SINGLE-STORY DWELLING UNIT is a dwelling unit with all finished living spaces located on one floor.

SITE is a parcel of land bounded by a property line or a designated portion of a public right-of-way.

TACTILE is an object that can be perceived using the sense of touch.

TECHNICALLY INFEASIBLE (See Section 1110).

TEXT TELEPHONE is machinery or equipment that employs interactive graphic (e.g. typed) communications through the transmission of coded signals across the standard telephone network. Text telephones include telecommunications display devices or telecommunications devices for the deaf (TDD's), or computers.

VEHICULAR WAY is a route intended for vehicular traffic, such as a roadway, driveway, or parking lot, located on a site.

PART II NEW CONSTRUCTION

NEW SECTION

WAC 51-30-1103 Section 1103—Building accessibility.

Section 1103.1 Where required.

1103.1.1 General. Accessibility to temporary or permanent buildings or portions thereof shall be provided for all occupancy classifications except as modified by this chapter. See also Appendix Chapter 11.

EXCEPTIONS:

1. Floors or portions of floors not customarily occupied, including, but not limited to, elevator pits, observation galleries used primarily for security purposes, elevator penthouses, nonoccupiable spaces accessed only by ladders, catwalks, crawl spaces, narrow passageways, or freight elevators, piping and equipment catwalks and machinery, mechanical and electrical equipment rooms.

2. Temporary structures, sites and equipment directly associated with the construction process such as construction site trailers, scaffolding, bridging, or material hoists are not required to be accessible. This exception does not include walkways or pedestrian protection required by Chapter 30.

1103.1.2 Group A Occupancies.

1103.1.2.1 General. All Group A Occupancies shall be accessible as provided in this chapter.

EXCEPTION: In the assembly areas of dining and drinking establishments or religious facilities which are located in non-elevator buildings; where the area of mezzanine seating is not more than 25 percent of the total seating, an accessible means of vertical access to the mezzanine is not required, provided that the same services are provided in an accessible space which is not restricted to use only by persons with disabilities. Comparable facilities shall be available in all seating areas.

In banquet rooms or spaces where the head table or speaker's lectern is located on a permanent raised platform, the platform shall be accessible in compliance with Section 1106. Open edges on the raised platform shall be protected by a curb with a height of not less than 2 inches (51 mm).

Stadiums, theaters, auditoriums and similar occupancies shall provide wheelchair spaces in accordance with Table No. 11-A.

Wheelchair spaces shall be accessible and shall be located in places with unobstructed sight lines. Wheelchair spaces shall be reasonably distributed throughout the seating plan and located on an accessible route of travel. At least one companion fixed seat shall be provided next to each wheelchair space. Removable seats shall be permitted in the wheelchair spaces.

In addition, one percent, but not less than one, of all fixed seats shall be aisle seats with no armrests, or shall have removable or folding armrests on the aisle side. Each such seat shall be identified by a sign complying with Section 1106.16.1.1.

An accessible route of travel shall connect wheelchair seating locations with performance areas, including stages, arena floors, dressing rooms, locker rooms, and other spaces used by performers.

1103.1.2.2 Assistive listening devices. Assistive listening systems complying with Section 1106.21.2 shall be installed in assembly areas where audible communications are integral to the use of the space including stadiums, theaters, auditoriums, lecture halls, and similar areas; where fixed seats are provided, as follows:

1. Areas with an occupant load of 50 or more.
2. Areas where an audio-amplification system is installed.

Receivers for assistive listening systems shall be provided at a rate of 4 percent of the total number of seats, but in no case fewer than two receivers. In other assembly areas, where permanently installed assistive listening systems are not provided, electrical outlets shall be provided at a rate of not less than 4 percent of the total occupant load.

Signage complying with Section 1106.16.1.3 shall be installed to notify patrons of the availability of the listening system.

1103.1.3 Group B, F, M and S Occupancies. All Group B, F, M and S Occupancies shall be accessible as provided in this chapter. Assembly spaces in Group B, F, M and S Occupancies shall comply with Section 1103.1.2.2.

1103.1.4 Group E Occupancies. All Group E Occupancies shall be accessible as provided in this chapter. Assembly spaces in Group E Occupancies shall comply with Section 1103.1.2.2.

1103.1.5 Group H Occupancies. All Group H Occupancies shall be accessible as provided in this chapter.

1103.1.6 Group I Occupancies. All Group I Occupancies shall be accessible in all public use, common use, and employee use areas, and shall have accessible patient rooms, cells, and treatment or examination rooms as follows:

1. In Group I, Division 1.1 patient care units within hospitals which specialize in treating conditions that affect mobility, all patient rooms in each nursing unit including associated toilet rooms and bathrooms.

2. In Group I, Division 1.1 patient care units within hospitals which do not specialize in treating conditions that affect mobility, at least 1 in every 10 patient rooms in each nursing unit, including associated toilet rooms and bathrooms.

3. In Group I, Division 1.1 and Division 2 nursing homes and long-term care facilities, at least 1 in every 2 patient rooms, including associated toilet rooms and bathrooms.

4. In Group I, Division 3 mental health occupancies, at least 1 in every 10 patient rooms, including associated toilet rooms and bathrooms.

5. In Group I, Division 3 jail, prison and similar occupancies, at least 1 in every 100 rooms or cells, including associated toilet rooms and bathrooms.

6. In Group I Occupancies, all treatment and examination rooms shall be accessible.

In Group I Division 1.1 and 2 Occupancies, at least one accessible entrance that complies with Section 1103.2 shall be under shelter. Every such entrance shall include a passenger loading zone which complies with Section 1108.2.

1103.1.7 Group U Occupancies. Group U, Division 1 Occupancies shall be accessible as follows:

1. Private garages and carports which contain accessible parking serving Type A dwelling units, accessible hotel and lodging rooms and congregate residences.

2. In Group U, Division 1 agricultural buildings, access need only be provided to paved work areas and areas open to the general public.

1103.1.8 Group R Occupancies.

1103.1.8.1 General. All Group R Occupancies shall be accessible as provided in this chapter. Public- and common-use areas and facilities such as recreational facilities, laundry

facilities, garbage and recycling collection areas, mailbox locations, lobbies, foyers, and management offices shall be accessible.

EXCEPTION: Common- or public-use facilities accessory to buildings not required to contain either Type A or Type B dwelling units in accordance with Section 1103.1.8.2.

1103.1.8.2 Number of dwelling units. In all Group R, Division 1 apartment buildings the total number of Type A dwelling units shall be as required by Table No. 11-B. All other dwelling units shall be designed and constructed to the requirements for Type B units as defined in this chapter.

EXCEPTIONS: 1. Group R Occupancies containing no more than three dwelling units need not be accessible.

2. Dwelling units in Group R, Division 1 apartment buildings which are located on floors other than the ground floor where no elevator is provided within the building need not comply with standards for Type B dwelling units; provided:

2.1. Where the ground floor is not a Group R Occupancy, the first level of Group R Occupancy, including dwelling units, shall be accessible; and

2.2. The number of Type A dwelling units provided shall not be reduced below the number required by Table No. 11-B. See also Section 1105.3.1.

3. Dwelling units with two or more stories in a non-elevator building need not comply with standards for Type B dwelling units.

4. For sites where multiple, non-elevator buildings are planned for a single site and where portions of the site have grades prior to development which exceed 10 percent, the building official may approve the following modifications:

4.1. Number of Dwelling Units:

4.1.1. The number of Type B dwelling units provided may be reduced to a percentage of the ground floor units which is equal to the percentage of the entire site having grades prior to development which are 10 percent or less; but in no case shall the number of Type B dwelling units be less than 20 percent of the ground floor dwelling units on the entire site; and

4.1.2. The number of Type A dwelling units provided shall not be reduced below the number required by Table No. 11-B; and

4.2. Both Type A and B dwelling units may be located in the building or buildings located on the portion of the site where the grade prior to development has slopes of 10 percent or less; and

4.3. Common-use facilities accessory to buildings not required to contain either Type A or B dwelling units in accordance with Item 4.1.1, above, need not be accessible unless there are no other similar facilities provided on the site.

See also Appendix Chapter 11, Division 1.

1103.1.8.3 Hotels and lodging houses. In all hotels and lodging houses, accessible guest rooms, including associated bathing, shower, and toilet facilities, shall be provided in accordance with Table 11-C. In addition, sleeping rooms or suites for persons with hearing impairments shall be provided in accordance with Table 11-D. In addition, public- and common-use areas of all hotels and lodging houses shall be accessible.

EXCEPTION: Group R, Division 3 lodging houses that are occupied by the owner or proprietor of the lodging house.

Required sleeping rooms for persons with hearing impairments shall have visible alarms complying with Section 1106.15. Such rooms shall have installed telephones complying with Section 1106.14.3, and an electrical outlet installed within 48 inches (1220 mm) of the telephone connection. Such rooms shall have devices separate from the visible alarm system which provide visible notification of incoming telephone calls and door bell actuation.

Where provided in accessible guest rooms the following facilities shall be accessible: dining areas; kitchens; kitchenettes; wet bars; patios; balconies; terraces; or similar facilities.

1103.1.8.4 Proportional distribution. Accessible dwelling units shall be apportioned among efficiency dwelling units, single bedroom units and multiple bedroom units, in proportion to the numbers of such units in the building. Accessible hotel guest rooms shall be apportioned among the various classes of sleeping accommodations.

1103.1.8.5 Congregate residences. In congregate residences with multi-bed rooms or spaces, a percentage equal to the minimum number of accessible rooms required by Table No. 11-C shall be accessible in accordance with Section 1106.26.

EXCEPTION: Congregate residences with 10 or fewer occupants need not be accessible.

1103.1.9 Other parking facilities. Principal use parking facilities which are not accessory to the use of any building or structure shall provide accessible spaces in accordance with Table No. 11-F.

1103.2 Design and Construction.

1103.2.1 General. When accessibility is required by this chapter, it shall be designed and constructed in accordance with this chapter.

1103.2.2 Accessible route of travel. When a building, or portion of a building, is required to be accessible, an accessible route of travel shall be provided to all portions of the building, to accessible building entrances, and connecting the building and the public way. The accessible route of travel to areas of primary function may serve but shall not pass through kitchens, storage rooms, toilet rooms, bathrooms, closets, or other similar spaces.

EXCEPTIONS: 1. A single accessible route shall be permitted to pass through a kitchen or storage room in an accessible dwelling unit.

2. An accessible route of travel need not be provided between floor levels, provided that:

All floor levels in the building contain less than 3,000 square feet (278.7 m²) each; or

Where only two floor levels are provided, either floor is less than 3,000 square feet (278.7 m²).

This exception shall not apply to:

2.1. The offices of health care providers; or,

2.2. Transportation facilities and airports; or,

2.3. Buildings owned or leased by government agencies; or

2.4. Multi-tenant Group M retail and wholesale occupancies of five tenant spaces or more.

3. For sites where natural terrain or other unusual property characteristics do not allow the provisions of an accessible route of travel from the public way to the building, the point of vehicular debarkation may be substituted for the accessible entrance to the site.

(For Group R, Division 1 occupancies, see Section 1105.3.1.)

Accessible routes of travel serving any accessible space or element shall also serve as a means of egress for emergencies or connect to an area of evacuation assistance.

Where more than one building or facility is located on a site, accessible routes of travel shall connect accessible buildings and accessible site facilities. The accessible route of travel shall be the most practical direct route connecting

accessible building entrances, accessible site facilities and the accessible site entrances.

1103.2.3 Primary entrance access. At least 50% of all public entrances, or a number equal to the number of exits required by Section 1003.1, whichever is greater, shall be accessible. One of the accessible public entrances shall be the primary entrance to a building. At least one accessible entrance must be a ground floor entrance. Public entrances do not include loading or service entrances.

EXCEPTION: In Group R, Division 1 apartment buildings only the primary entrance need be accessible, provided that the primary entrance provides an accessible route of travel to all dwelling units required to be accessible.

Where a building is designed not to have common or primary entrances, the primary entrance to each individual dwelling unit required to be accessible, and each individual tenant space, shall be accessible.

1103.2.4 Signs.

1103.2.4.1 International Symbol of Access. The following elements and spaces of accessible facilities shall be identified by the International Symbol of Access:

1. Accessible parking spaces.
2. Accessible entrance when not all entrances are accessible (inaccessible entrances shall have directional signage to indicate the route to the nearest accessible entrance).

EXCEPTION: Individual entrances into dwelling units.

3. Accessible passenger loading zone(s).
4. Accessible toilet and bathing facilities when not all are accessible.

EXCEPTION: Toilet and bathing facilities within dwelling units, patient rooms and guest rooms.

At every major junction along or leading to an exterior accessible route of travel, there shall be a sign displaying the International Symbol of Access. Signage shall indicate the direction to accessible entrance and facilities.

See also Sections 1103.1.2.1, 1104.2.5 and 1106.24.3.

1103.2.4.2 Other signs. Where provided, signs which identify permanent rooms and spaces shall comply with Sections 1106.16.2, 1106.16.3 and 1106.16.5. Where provided, other signs which provide direction to or information about the building or portion of a building shall comply with Sections 1106.16.3 and 1106.16.4.

EXCEPTION: Building directories and all temporary signs.

In hotels and lodging houses, a list of accessible guest rooms shall be posted permanently in a location not visible to the general public, for staff use at each reception or check-in desk.

In assembly areas, a sign notifying the general public of the availability of accessible seating and assistive listening systems shall be provided at ticket offices or similar locations.

NEW SECTION

WAC 51-30-1104 Section 1104—Egress and areas of evacuation assistance.

Section 1104.1 General. In buildings or portions of buildings required to be accessible, accessible means of egress shall be provided in the same number as required for exits by Chapter 10. When an exit required by Chapter 10 is not accessible, an area for evacuation assistance shall be provided.

EXCEPTION: Areas of evacuation assistance are not required in buildings where an approved, automatic fire-extinguishing system is installed in accordance with U.B.C. Standard No. 9-1, provided that quick-response sprinkler heads are used where allowed by the standard; and that a written fire- and life-safety emergency plan, which specifically addresses the evacuation of persons with disabilities, is approved by the building official and the fire chief.

Every area for evacuation assistance shall comply with the requirements of this code and shall adjoin an accessible route of travel which shall comply with Section 1106.

1104.2 Areas for Evacuation Assistance.

1104.2.1 Location and construction. An area for evacuation assistance shall be one of the following:

1. A portion of a landing within a smokeproof enclosure, complying with Section 1110.

2. A portion of an exterior exit balcony, located immediately adjacent to an exit stairway, when the exterior exit balcony complies with Section 1005. Openings to the interior of the building located within 20 feet (6096 mm) of the area for evacuation assistance shall be protected with fire assemblies having a three-fourths-hour fire-protection rating.

3. A portion of a one-hour fire-resistive corridor complying with Sections 1005.7 and 1005.8 located immediately adjacent to an exit enclosure.

4. A vestibule located immediately adjacent to an exit enclosure and constructed to the same fire-resistive standards as required by Section 1005.7 and 1005.8.

5. A portion of a stairway landing within an exit enclosure which is vented to the exterior and is separated from the interior of the building by not less than one-hour fire-resistive door assemblies.

6. When approved by the building official, an area or room which is separated from other portions of the building by a smoke barrier. Smoke barriers shall have a fire-resistive rating of not less than one hour and shall completely enclose the area or room. Doors in the smoke barrier shall be tight-fitting smoke- and draft-control assemblies having a fire-protection rating of not less than 20 minutes and shall be self-closing or automatic closing. The area or room shall be provided with an exit directly to an exit enclosure. When the room or area exits into an exit enclosure which is required to be of more than one-hour fire-resistive construction, the room or area shall have the same fire-resistive construction, including the same opening protection, as required for the adjacent exit enclosure.

7. An elevator lobby complying with Section 1104.4.

1104.2.2 Size. Each area for evacuation assistance shall provide at least two wheelchair spaces not smaller than 30 inches by 48 inches (760 mm by 1220 mm) for each space. The area for evacuation assistance shall not encroach on any required exit width. The total number of such wheelchair spaces per story shall not be less than 1 for every 200 persons of calculated occupant load served by the area for evacuation assistance.

EXCEPTION: The building official may reduce the minimum number of 30-inch (760 mm) by 48-inch (1220 mm) areas to one for each area for evacuation assistance on floors where the occupant load is less than 200.

1104.2.3 Stairway width. Each stairway adjacent to an area for evacuation assistance shall have a minimum clear width of 48 inches (1220 mm) between handrails.

1104.2.4 Two-way communication. A telephone with controlled access to a public telephone system or another method of two-way communication shall be provided between each area for evacuation assistance and the primary entrance. The telephone or other two-way communication system shall be located with the reach ranges specified in Section 1106.2.4. The fire department may approve location other than the primary entrance. The communication system shall not require voice communication.

1104.2.5 Identification. Each area for evacuation assistance shall be identified by a sign which states: **AREA FOR EVACUATION ASSISTANCE** and the International Symbol of Access. The sign shall be illuminated when exit sign illumination is required. The sign shall comply with Sections 1013.3 and 1013.4. In each area for evacuation assistance, instructions on the use of the area under emergency conditions shall be posted adjoining the two-way communication system.

1104.3 Accessible Exits. All exterior exits which are located adjacent to accessible areas and within 6 inches (152 mm) of grade shall be accessible.

1104.4 Area for Evacuation Assistance, High-rise Alternative. Within a building of any height or occupancy, constructed in accordance with the requirements of Section 403, an area for evacuation assistance may be located in the elevator lobby, or adjacent to the elevator where no lobby is required, when:

1. The area for evacuation assistance complies with the requirements for size, two-way communication and identification as specified in Section 1104.2; and,

2. Elevator shafts are pressurized as required for smokeproof enclosures in Section 1009. Such pressurization system shall be activated by smoke detectors on each floor located in a manner approved by the building official. Pressurization equipment and its ductwork within the building shall be separated from other portions of the building by a minimum of two-hour fire-resistive construction.

3. The manager of the building has established and maintains a written fire- and life-safety emergency plan which, in addition to other provisions, shall specifically address the evacuation of persons with disabilities. Such

plan shall be approved by the building official and the fire chief.

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 51-30-1105 Section 1105—Facility accessibility.

Section 1105.1 General. Where buildings are required to be accessible, building facilities shall be accessible to persons with disabilities as provided in this section. For Group R, Division 1 apartment buildings, where specific floors of a building are required to be accessible, the requirements shall apply only to the facilities located on accessible floors.

All building facilities or elements required by this section to be accessible shall be designed and constructed in accordance with Section 1106.

1105.2 Bathing and Toilet Facilities.

1105.2.1 Bathing facilities. When bathing facilities are provided, at least 2 percent, but not less than 1, bathtub or shower shall be accessible. In dwelling units where a separate bathtub and shower are provided in the same room, at least one shall be accessible.

1105.2.2 Toilet facilities. Toilet facilities located within accessible dwelling units, guest rooms, and congregate residences shall comply with Sections 1106.11 and 1106.27.

EXCEPTION: Within accessible dwelling units, only one toilet facility need be accessible.

In each toilet facility in other occupancies, at least one wheelchair accessible toilet stall with an accessible water closet shall be provided. In addition, when there are 6 or more water closets within a toilet facility, at least one ambulatory accessible toilet stall complying with Section 1106.11.4 shall also be installed.

Where urinals are provided, at least one urinal shall be accessible.

1105.2.3 Lavatories, mirrors and towel fixtures. At least one accessible lavatory shall be provided within any toilet facility. Where mirrors, towel fixtures and other toilet and bathroom accessories are provided, at least one of each shall be accessible.

1105.2.4 Adaptable fixtures in dwelling units. See Section 1106.27.2 for adaptable fixtures in dwelling units.

1105.3 Elevators, Platform Lifts and Stairways.

1105.3.1 Elevators.

1105.3.1.1 Where required. In multi-story buildings or portions thereof required to be accessible by Section 1103, at least one elevator shall serve each level, including mezzanines. Other than within an individual dwelling unit, where an elevator is provided but not required, it shall be accessible.

EXCEPTIONS: 1. In Group R, Division 1 apartment occupancies, an elevator is not required where accessible dwelling units

and guest rooms are accessible by ramp or by grade level route of travel.

2. In a building of fewer than three stories, an elevator is not required where ramps, grade-level entrances or accessible horizontal exits from an adjacent building, are provided to each floor.
3. In multi-story parking garages, an elevator is not required where an accessible route of travel is provided from accessible parking spaces on levels with accessible horizontal connections to the primary building served.
4. In Group R, Division 1 hotels and lodging houses, less than 3 stories in height, an elevator is not required, provided that all accessible guest rooms are located on the ground floor.

1105.3.1.2 Design. All elevators shall be accessible.

- EXCEPTIONS:
1. Private elevators serving only one dwelling unit.
 2. Where more than one elevator is provided in the building, elevators used exclusively for movement of freight.

Elevators required to be accessible shall be designed and constructed to comply with Chapter 296-81 of the Washington Administrative Code.

1105.3.2 Platform lifts. Platform lifts may be used in lieu of an elevator under one of the following conditions subject to approval by the building official:

1. To provide an accessible route of travel to a performing area in a Group A Occupancy; or,
2. To provide unobstructed sight lines and distribution for wheelchair viewing positions in Group A Occupancies; or
3. To provide access to spaces with an occupant load of less than 5 that are not open to the public; or,
4. To provide access where existing site or other constraints make use of a ramp or elevator infeasible.

All platform lifts used in lieu of an elevator shall be capable of independent operation and shall comply with Chapter 296-81 of the Washington Administrative Code.

1105.3.3 Stairways. Stairways shall comply with Section 1106.9.

1105.4 Other Building Facilities.

1105.4.1 Water fountains. On any floor where water fountains are provided, at least 50 percent, but in no case less than one fountain, shall be accessible complying with Section 1106.13 and at least one fountain shall be mounted at a standard height.

1105.4.2 Telephones. On any floor where public telephones are provided at least one telephone shall be accessible. On any floor where 2 or more banks of multiple telephones are provided, at least one telephone in each bank shall be accessible and at least one telephone per floor shall be designed to allow forward reach complying with Section 1106.2.4.5.

Where any bank of public telephones consists of 3 or more telephones, at least one telephone in each bank shall be equipped with a shelf and electrical outlet complying with Section 1106.14.7.

All accessible telephones and at least 25 percent of all other public telephones, but in no case less than one, shall be provided with volume controls in accordance with Section

1106.14.3 and shall be dispersed among the public telephones provided in the building.

Where four or more public telephones are provided at a building site, and at least one is in an interior location, at least one interior telephone shall be a text telephone in accordance with Section 1106.14.

Where interior public pay phones are provided in transportation facilities; assembly and similar areas including stadiums and arenas; convention centers; hotels with convention facilities; or covered malls; or in or adjacent to hospital emergency, recovery, or waiting rooms; at least one interior text telephone shall be provided.

1105.4.3 Kitchens. Kitchens within accessible dwelling units shall be designed in accordance with Sections 1106.12 and 1106.27.

EXCEPTION: Kitchens in Type B dwelling units need not comply with Section 1106.12.1 (See Section 1106.27.1).

Kitchens, kitchenettes, or wet bars in other than dwelling units, which are provided accessory to a sleeping room, guest room, or suite, shall be designed in accordance with Section 1106. Countertops and sinks shall be no more than 34 inches (865 mm) above the finished floor. At least 50 percent of shelf space in cabinets and appliances shall be within the reach ranges of Section 1106.2.4.

1105.4.4 Recreation facilities. Where common- or public-use recreational facilities, swimming pools, hot tubs, spas, and similar facilities are provided, they shall be accessible. Swimming pools shall be accessible by transfer tier, hydraulic chair, ramp, or other means. Hot tubs and spas need be accessible only to the edge of the facility.

EXCEPTION: Common- or public-use facilities accessory to buildings not required to contain either Type A or Type B dwelling units in accordance with Section 1103.1.8.2.

1105.4.5 Fixed or built-in seating or tables. Where fixed or built-in seating or tables are provided, at least 5 percent, but no fewer than one, shall be accessible. Accessible fixed or built-in seating or tables shall comply with Section 1106.19. In eating and drinking establishments, such seating or tables shall be distributed throughout the facility.

1105.4.6 Storage facilities. In other than Group R, Division 1 apartment buildings, where fixed or built-in storage facilities such as cabinets, shelves, closets, and drawers are provided in accessible spaces, at least one of each type provided shall contain storage space complying with Section 1106.18.

1105.4.7 Customer service facilities.

1105.4.7.1 Dressing and fitting rooms. Where dressing or fitting rooms are provided for use by the general public, patients, customers or employees, 5 percent, but not less than one, in each group of rooms serving distinct and different functions shall be accessible in accordance with Section 1106.24.

1105.4.7.2 Counters and windows. Where customer sales and service counters or windows are provided, a portion of the counter, or at least one window, shall be accessible in accordance with Section 1106.24.2.

1105.4.7.3 Shelving and display. Self-service shelves or display units in retail occupancies shall be located on an accessible route of travel in accordance with Section 1103.2.2. Not all self-service shelves and display units need be located within reach ranges required by Section 1106.2.4.

1105.4.7.4 Check-out aisles. Accessible check-out aisles shall be installed in accordance with Table No. 11-E and Section 1106.24.3.

1105.4.7.5 Food service lines. Where self-service shelves are provided in dining and drinking establishments, at least 50 percent of each type shall comply with Sections 1106.2 and 1106.22.

1105.4.8 Controls, operating mechanisms, and hardware. Controls, operating mechanisms, and hardware, including; switches that control lighting, ventilation or electrical outlets; in accessible spaces, along accessible routes or as parts of accessible elements, shall comply with Section 1106.3.

1105.4.9 Alarms. Where provided, alarm systems shall include both audible and visible alarms. Visible alarm devices shall be located in all assembly areas; common-use areas, including toilet rooms and bathing facilities; hallways and lobbies; and hotel guest rooms as required by Section 1103.1.8.3.

- EXCEPTIONS:**
1. Alarm systems in Group I, Division 1.1 and 2 Occupancies may be modified to suit standard health care design practice.
 2. Visible alarms are not required in Group R, Division 1 apartment buildings.

NEW SECTION

WAC 51-30-1106 Section 1106—Accessible design and standards.

Section 1106.1 General. Where accessibility is required by this chapter, buildings and facilities shall be designed and constructed in accordance with this section, unless otherwise specified in this chapter.

1106.2 Space Allowance and Reach Ranges.

1106.2.1 Wheelchair passage width. The minimum clear width for single wheelchair passage shall be 36 inches (915 mm). The minimum width for two wheelchairs to pass is 60 inches (1525 mm).

- EXCEPTION:** The minimum width for single wheelchair passage may be 32 inches (815 mm) for a maximum distance of 24 inches (610 mm).

1106.2.2 Wheelchair turning spaces. Wheelchair turning spaces shall be designed and constructed to satisfy one of the following requirements:

1. A turning space not less than 60 inches (1525 mm) in diameter; or,
2. A turning space at T-shaped intersections or within a room, where the minimum width is not less than 36 inches (915 mm). Each segment of the T shall be clear of obstructions not less than 24 inches (610 mm) in each direction.

Wheelchair turning space may include knee and toe clearance in accordance with Section 1106.2.4.3.

1106.2.3 Unobstructed floor space. A floor space, including the vertical space above such floor space, which is free of any physical obstruction including door swings, to a height of 29 inches (737 mm). Where a pair of doors occurs, the swing of the inactive leaf may be considered to be unobstructed floor space. Unobstructed floor space may include toe spaces that are a minimum of 9 inches (230 mm) in height and not more than 6 inches (152 mm) in depth.

1106.2.4 Clear floor or ground spaces and maneuvering clearance space for wheelchairs.

1106.2.4.1 Size. The minimum clear floor or ground space required to accommodate a single, stationary wheelchair occupant shall be not less than 30 inches (760 mm) by 48 inches (1220 mm).

1106.2.4.2 Approach. Wheelchair spaces shall be designed to allow for forward or parallel approach to an accessible feature.

1106.2.4.3 Knee and toe clearances. Spaces under obstructions, work surfaces or fixtures may be included in the clear floor or ground space provided that they are at least 30 inches (760 mm) in width, a minimum of 27 inches (685 mm) in height, and not greater than 25 inches (635 mm) in depth. Toe spaces under obstructions, work surfaces or fixtures which comply with the requirements for unobstructed floor space may be included in the clear floor or ground space.

1106.2.4.4 Approach to wheelchair spaces. One full unobstructed side of the clear floor or ground space for a wheelchair shall adjoin or overlap an accessible route of travel, or shall adjoin another wheelchair clear space. Clear space located in an alcove or otherwise confined on all or part of three sides shall be not less than 36 inches (915 mm) in width where forward approach is provided, or 60 inches (1525 mm) in width where parallel approach is provided.

1106.2.4.5 Forward reach. Where the clear floor space allows only forward approach to an object, the maximum forward reach allowed shall not be higher than 48 inches (1220 mm). Reach obstructions 20 inches (510 mm) or less in depth may project into the clear space provided that knee clearance is maintained in accordance with Section 1106.2.4.3. Reach obstructions greater than 20 inches (510 mm) in depth may project into the clear space provided that the reach obstruction shall not exceed 25 inches (635 mm) in depth and the maximum forward reach shall not exceed 44 inches (1118 mm) in height. The minimum low forward reach shall not be lower than 15 inches (380 mm).

1106.2.4.6 Side reach. Where the clear floor space allows parallel approach by a person in a wheelchair, the maximum high side reach allowed shall not be higher than 54 inches (1370 mm). Obstructions no greater than 34 inches (865 mm) in height and no more than 24 inches (610 mm) in depth may be located in the side reach area provided that when such obstructions are present, the side reach shall not exceed 46 inches (1170 mm) in height. The minimum low side reach shall not be lower than 9 inches (230 mm).

1106.3 Controls and Hardware.

1106.3.1 Operation. Handles, pulls, latches, locks, and other operating devices on doors, windows, cabinets, plumbing fixtures, and storage facilities, shall have a lever or other shape which will permit operation by wrist or arm pressure and which does not require tight grasping, pinching or twisting to operate. Doors shall comply with Section 1004.

The force to activate controls on lavatories and water fountains and flush valves on water closets and urinals shall not be greater than 5 pounds (22.2 N).

1106.3.2 Mounting heights. The highest operable part of environmental and other controls, dispensers, receptacles, and other operable equipment shall be within at least one of the reach ranges specified in Section 1106.2.4, and not less than 36 inches (915 mm) above the floor. Electrical and communications system receptacles on walls shall be mounted a minimum of 15 inches (380 mm) above the floor. Door hardware shall be mounted at not less than 36 inches (915 mm) and not more than 48 inches (1220 mm) above the floor.

1106.3.3 Clear floor space. Clear floor space that allows a forward or a side approach shall be provided at all controls or hardware.

1106.4 Accessible Route of Travel.

1106.4.1 Width. The minimum clear width of an accessible route of travel shall be 36 inches (915 mm) except at doors (see Section 1106.10.2). Where an accessible route includes a 180 degree turn around an obstruction which is less than 48 inches (1220 mm) in width, the clear width of the accessible route of travel around the obstruction shall be 42 inches (1065 mm) minimum. For exterior accessible routes of travel, the minimum clear width shall be 44 inches (1118 mm).

EXCEPTION: The minimum width for single wheelchair passage may be 32 inches (815 mm) for a maximum distance of 24 inches (610 mm).

Where an accessible route of travel is less than 60 inches (1525 mm) in width, passing spaces at least 60 inches (1525 mm) by 60 inches (1525 mm) shall be located at intervals not to exceed 200 feet (61 m). A T-shaped intersection of two corridors or walks may be used as a passing space.

1106.4.2 Height. Accessible routes shall have a clear height of not less than 79 inches (2007 mm). Where the vertical clearance of an area adjoining an accessible route of travel is less than 79 inches (2007 mm) but more than 27 inches (685 mm), a continuous permanent barrier shall be installed to prevent traffic into such areas of reduced clearance.

1106.4.3 Slope. An accessible route of travel shall have a running slope not greater than 1 vertical in 12 horizontal. An accessible route of travel with a running slope greater than 1 vertical in 20 horizontal shall comply with Section 1106.8. Cross slopes of an accessible route of travel shall not exceed 1 vertical in 48 horizontal.

1106.4.4 Changes in level. Changes in level along an accessible route of travel shall comply with Section 1106.6. Stairs or escalators shall not be part of an accessible route of

travel. Any raised area within an accessible route of travel shall be cut through to maintain a level route or shall have curb ramps at both sides and a level area not less than 48 inches (1220 mm) long connecting the ramps.

1106.4.5 Surfaces.

1106.4.5.1 General. All floor and ground surfaces in an accessible route of travel shall comply with Section 1106.7.

1106.4.5.2 Detectable warnings. Curb ramps shall have detectable warnings complying with Section 1106.17. Detectable warnings shall extend the full width and depth of the curb ramp.

1106.4.6 Illumination. Illumination shall be provided along an exterior accessible route of travel at any time the building is occupied, with an intensity of not less than one footcandle (10.76 lx) on the surface of the route.

1106.4.7 Curb ramps.

1106.4.7.1 Slope. Slopes of curb ramps shall comply with Section 1106.8. Transitions from ramps to walks, gutters, or vehicular ways shall be flush and free of abrupt changes in height. Maximum slopes of adjoining gutters and road surfaces immediately adjacent to the curb ramp or accessible route of travel shall not exceed 1 vertical in 20 horizontal.

1106.4.7.2 Width. Curb ramps shall be not less than 36 inches (915 mm) in width, exclusive of the required side slopes.

1106.4.7.3 Side slopes of curb ramps. Curb ramps located where pedestrians must walk across the ramp, or where not protected by handrails or guardrails, shall have sloped sides. The maximum side slope shall be 1 vertical in 10 horizontal. Curb ramps with returned curbs may be used where pedestrians would not normally walk across the ramp.

EXCEPTION: Where the width of the walking surface at the top of the ramp and parallel to the run of the ramp is less than 48 inches (1220 mm), the maximum side slope shall be 1 vertical in 12 horizontal.

1106.4.7.4 Location. Built-up curb ramps shall be located so as not to project into vehicular ways nor be located within accessible parking spaces.

1106.4.7.5 Obstructions. Curb ramps shall be located or protected to prevent their obstruction by parked vehicles.

1106.4.7.6 Location at marked cross walks. Curb ramps at marked cross walks shall be wholly contained within the markings, excluding any sloped sides.

1106.4.7.7 Orientation. Curb ramps shall be oriented in the same direction as pedestrian flow of crosswalks; diagonally oriented curb ramps are prohibited.

1106.4.8 Vehicular areas. Where an accessible route of travel crosses or adjoins a vehicular way, and where there are no curbs, railings or other elements which separate the pedestrian and vehicular areas, and which are detectable by a person who has a severe vision impairment, the boundary between the areas shall be defined by a continuous detectable warning not less than 36 inches (915 mm) wide, complying with Section 1106.17.

1106.5 Protruding Objects. Protruding objects shall not reduce the clear width of a route of travel or maneuvering space. Any wall- or post-mounted object with its leading edge between 27 inches (685 mm) and 79 inches (2007 mm) above the floor may project not more than 4 inches (102 mm) into a route of travel, corridor, passageway, or aisle. Any wall- or post-mounted projection greater than 4 inches (102 mm) shall extend to the floor.

1106.6 Changes in Level. Accessible routes of travel and accessible spaces within buildings shall have continuous common floor or ramp surfaces. Abrupt change in height greater than 1/4 inch (6 mm) shall be beveled to 1 vertical in 2 horizontal. Changes in level greater than 1/2 inch (13 mm) shall be accomplished by means of a ramp meeting the requirements of Section 1106.8, a curb ramp meeting the requirements of Section 1106.4.7, or an elevator or platform lift meeting the requirements of Section 1105.3. For Type B dwelling units, see also Section 1106.27.

1106.7 Floor Coverings and Surface Treatments.

1106.7.1 General. All surfaces shall be firm and stable.

1106.7.2 Carpeting. Carpeting and floor mats in accessible areas shall be securely fastened to the underlying surface, and shall provide a firm, stable, continuous, and relatively smooth surface.

1106.7.3 Slip-resistant surfaces. Showers; locker rooms; swimming pool, spa, and hot tub decks; toilet rooms; and other areas subject to wet conditions shall have slip-resistant floors.

Exterior accessible routes of travel shall have slip-resistant surfaces.

1106.7.4 Grates. Within an accessible route of travel, grates shall have openings not more than 1/2 inch (13 mm) in one direction. Where grates have elongated openings, they shall be placed so that the long dimension is perpendicular to the dominant direction of travel. The maximum vertical surface change shall be 1/8 inch (3 mm).

1106.7.5 Expansion and construction joints. Expansion and construction joints in exterior routes of travel shall have a width of not more than 1/2 inch (13 mm), shall be filled with a firm, compressible, elastic material, and shall be substantially level with the surface of the accessible route of travel.

1106.8 Ramps.

1106.8.1 General. Ramps required to be accessible shall comply with Section 1007 and the provisions of this section. No ramp shall change direction between landings, except ramps with an inside radius of 30 feet (9144 mm) or greater.

1106.8.2 Slope and rise. The maximum slope of a ramp shall be 1 vertical in 12 horizontal. The maximum rise for any run shall be 30 inches (760 mm).

1106.8.3 Width. The minimum width of a ramp shall be not less than 36 inches (915 mm) for interior ramps and 44 inches (1118 mm) for exterior ramps.

1106.8.4 Landings. Ramps within the accessible route of travel shall have landings at the top and bottom, and at least one intermediate landing shall be provided for each 30

inches (760 mm) of rise. Landings shall be level and have a minimum dimension measured in the direction of ramp run of not less than 60 inches (1525 mm). Where the ramp changes direction at a landing, the landing shall be not less than 60 inches (1525 mm) by 60 inches (1525 mm). The width of any landing shall be not less than the width of the ramp.

1106.8.5 Handrails. Ramps having slopes steeper than 1 vertical to 20 horizontal shall have handrails as required for stairways, except that intermediate handrails as required in Section 1006.9 are not required. Handrails shall be continuous provided that they shall not be required at any point of access along the ramp, nor at any curb ramp. Handrails shall extend at least 12 inches (305 mm) beyond the top and bottom of any ramp run.

EXCEPTION: Ramps having a rise less than or equal to 6 inches (152 mm), or a run less than or equal to 72 inches (1830 mm), need not have handrails.

1106.8.6 Exterior ramps. Exposed ramps and their approaches shall be constructed to prevent the accumulation of water on walking surfaces.

1106.8.7 Edge protection. Any portion of the edge of a ramp with a slope greater than 1 vertical in 20 horizontal, or landing which is more than 1/2 inch (13 mm) above the adjacent grade or floor, shall be provided with edge protection in accordance with the following:

1. **Walls and Curbs.** When used, walls or curbs shall be not less than 2 inches (51 mm) in height above the surface of the accessible route of travel.

2. **Railings.** When used, railings shall comply with Section 1106.8.5 and also shall have one of the following features:

2.1. An intermediate rail mounted 17 to 19 inches (430 to 485 mm) above the ramp or landing surface, or

2.2. A guardrail complying with Section 509.

1106.9 Stairways.

1106.9.1 General. Stairways required to be accessible shall comply with Section 1006 and provisions of this section.

1106.9.2 Open risers. Open risers shall not be permitted.

EXCEPTION: Stairways in Group R, Division 1 apartment buildings may have open risers.

1106.9.3 Nosings. Stair nosings shall be flush, slip-resistant, and rounded to a radius of 1/2 inch (13 mm) maximum. Risers shall be sloped, or the underside of the nosing shall have an angle of not less than 60 degrees from the horizontal. Nosings shall project no more than 1-1/2 inches (38 mm).

1106.9.4 Exterior stairways. Exposed stairways and their approaches shall be constructed to prevent the accumulation of water on walking surfaces.

1106.10 Doors.

1106.10.1 General. Doors required to be accessible shall comply with Section 1004 and with provisions of this section. For the purpose of this section, gates shall be considered to be doors. An accessible gate or door shall be

provided adjacent to any turnstile or revolving door. Where doorways have two independently operated door leaves, then at least one leaf shall comply with this section.

1106.10.2 Clear width. Doors shall be capable of being opened so that the clear width of the opening is not less than 32 inches (815 mm).

EXCEPTION: Doors not requiring full user passage, such as shallow closets, may have a clear opening of not less than 20 inches (510 mm).

1106.10.3 Maneuvering clearances at doors. Except as provided in Section 1106.27, all doors shall have minimum maneuvering clearances as follows:

1. For a forward approach, where a door must be pulled to be opened, an unobstructed floor space shall extend at least 18 inches (455 mm) beyond the strike jamb and extend at least 60 inches (1525 mm) perpendicular to the doorway.

2. For a forward approach, where a door must be pushed to be opened and is equipped with a closer and a latch, an unobstructed floor space shall extend at least 12 inches (305 mm) beyond the strike jamb and extend at least 48 inches (1220 mm) perpendicular to the doorway.

3. For a forward approach, where a door must be pushed to be opened and is not equipped with a closer and a latch, an unobstructed floor space shall be at least the width of the doorway and extend at least 48 inches (1220 mm) perpendicular to the doorway.

4. For a hinge side approach, where a door must be pulled to be opened, an unobstructed floor space shall extend at least 36 inches (915 mm) beyond the latch side of the door and at least 60 inches (1525 mm) perpendicular to the doorway, or shall have an unobstructed floor space that extends at least 42 inches (1065 mm) beyond the latch side of the door and at least 54 inches (1370 mm) perpendicular to the doorway.

5. For a hinge side approach, where a door must be pushed to be opened and is not equipped with both a closer and a latch, an unobstructed floor space, measured from the latch side, shall extend across the width of the doorway and beyond the hinge side of the door for a total width of not less than 54 inches (1370 mm); and at least 42 inches (1065 mm) perpendicular to the doorway.

6. For a hinge side approach, where a door must be pushed to be opened and is equipped with both latch and closer, an unobstructed floor space, measured from the latch side, shall extend across the width of the doorway and beyond the hinge side of the door for a total width of not less than 54 inches (1370 mm); and at least 48 inches (1220 mm) perpendicular to the doorway.

7. For a latch side approach, where a door must be pulled to be opened and is equipped with a closer, an unobstructed floor space shall extend at least 24 inches (610 mm) beyond the latch side of the door and at least 54 inches (1370 mm) perpendicular to the doorway.

8. For a latch side approach, where a door must be pulled to be opened and is not equipped with a closer, an unobstructed floor space shall extend at least 24 inches (610

mm) beyond the latch side of the door and at least 48 inches (1220 mm) perpendicular to the doorway.

9. For a latch side approach, where a door must be pushed to be opened and is equipped with a closer, an unobstructed floor space shall extend at least 24 inches (610 mm) beyond the latch side of the door and at least 48 inches (1370 mm) perpendicular to the doorway.

10. For a latch side approach, where a door must be pushed to be opened and is not equipped with a closer, an unobstructed floor space shall extend at least 24 inches (610 mm) parallel to the doorway, beyond the latch side of the door and at least 42 inches (1065 mm) perpendicular to the doorway.

11. For a forward approach, to a sliding or folding door, an unobstructed floor space shall extend the same width as the door opening and at least 48 inches (1220 mm) perpendicular to the doorway.

12. For a slide side approach to a sliding or folding door, an unobstructed floor space, measured from the latch side, shall extend across the width of the doorway and beyond the slide side of the door for a total width of not less than 54 inches (1370 mm); and at least 42 inches (1065 mm) perpendicular to the doorway.

13. For a latch side approach to a sliding or folding door, an unobstructed floor space shall extend at least 24 inches (610 mm) beyond the latch side of the door and at least 42 inches (1065 mm) perpendicular to the doorway.

14. Where two doors are in series, the minimum distance between two hinged or pivoted doors shall be 48 inches (1220 mm), in addition to any area needed for door swing. Doors in series shall swing either in the same direction, or away from the space between the doors.

15. All doors in alcoves shall comply with the requirement for a forward approach.

1106.10.4 Thresholds at doors. Thresholds at doors shall comply with Section 1106.6.

EXCEPTION: In dwelling units, exterior doors other than the accessible entrance to a dwelling unit, may be sliding doors with thresholds not exceeding 3/4 inch (19 mm).

1106.10.5 Automatic and power-assisted doors. Door-closers or power-operators shall be operable as required by Section 1004.8.

EXCEPTION: Floor pad or electric eye actuated power operators.

All power-operated doors shall remain in the fully open position for not less than 6 seconds before closing. Touch switches shall be mounted 36 inches (915 mm) above the floor and not less than 18 inches (455 mm), nor more than 36 inches (915 mm), horizontally from the nearest point of travel of the moving door. Other power-operated doors must be actuated from a location not less than 36 inches (915 mm) from the nearest point of travel of the moving door. Power-operated doors shall automatically reopen when they encounter an obstruction other than the strike jamb.

1106.10.6 Door closers. Where provided, door closers shall be adjusted to close from an open position of 70 degrees to

a point 3 inches (76 mm) from the latch, in not less than 3 seconds, when measured to the leading edge of the door.

1106.10.7 Vision panels. Where a door contains one or more vision panels, the bottom of the glass of at least one panel, shall be not more than 40 inches (1015 mm) above the floor.

1106.11 Bathrooms, Toilet Rooms, Bathing Facilities, and Shower Rooms.

1106.11.1 General. Bathrooms, toilet rooms, bathing facilities, and shower rooms shall be designed in accordance with this section. For dwelling units, see also Section 1106.27.

1106.11.2 Unobstructed floor space. An unobstructed floor space shall be provided within bathrooms, toilet rooms, bathing facilities, and shower rooms of sufficient size to inscribe a circle with a diameter not less than 60 inches (1525 mm). Doors in any position may encroach into this space by not more than 12 inches (305 mm). The clear floor spaces at fixtures, the accessible route of travel, and the unobstructed floor space may overlap.

1106.11.3 Wheelchair accessible toilet stalls.

1106.11.3.1 Dimensions. Wheelchair accessible toilet stalls shall be at least 60 inches (1525 mm) in width. Where wall-hung water closets are installed, the depth of the stall shall be not less than 56 inches (1420 mm). Where floor-mounted water closets are installed, the depth of the stall shall be not less than 59 inches (1500 mm). Entry to the compartment shall have a clear width of 32 inches (815 mm). Toilet stall doors shall not swing into the clear floor space required for any fixture. Except for door swing, a clear unobstructed access not less than 48 inches (1220 mm) in width shall be provided to toilet stalls.

EXCEPTION: Partitions may project not more than one inch, in the aggregate, into the required width of the stall.

1106.11.3.2 Toe clearances. In any toilet stall, the front partition and at least one side partition shall provide a toe clearance of at least 9 inches (230 mm) above the floor.

EXCEPTION: Toe clearance is not required in a stall with a depth greater than 60 inches (1525 mm).

1106.11.3.3 Door hardware. Doors of accessible toilet stalls shall comply with Section 1106.3.

1106.11.4 Ambulatory accessible toilet stalls. Ambulatory accessible toilet stalls shall be at least 36 inches (915 mm) in width, with an outward swinging, self-closing door. Grab bars shall be installed on each side of the toilet stall and shall comply with Sections 1106.11.5.3 and 1106.11.11.

1106.11.5 Water closets.

1106.11.5.1 Clear floor space. The lateral distance from the center line of the water closet to the nearest obstruction, excluding grab bars, shall be 18 inches (455 mm) on one side and not less than 42 inches (1065 mm) on the other side. In other than stalls, a clear floor space of not less than 32 inches (815 mm), measured perpendicular to the wall on which the water closet is mounted, shall be provided in front of the water closet.

EXCEPTION: In other than a toilet stall, a lavatory may be located within the clear floor space required for a water closet provided that knee and toe clearances for the lavatory comply with Section 1106.11.7, below, and:

1. In Type B dwelling units the edge of the lavatory shall be located not less than 15 inches (380 mm) from the centerline of the water closet; or,
2. In all other occupancies the edge of the lavatory shall be located not less than 18 inches (455 mm) from the centerline of the water closet.

1106.11.5.2 Height. The height of water closets shall be a minimum of 17 inches (430 mm) and a maximum of 19 inches (485 mm) measured to the top of the seat. Seats shall not be sprung to return to a lifted position.

1106.11.5.3 Grab bars. Grab bars shall be installed at one side and at the back of the water closet. The top of grab bars shall be not less than 33 inches (840 mm) and not more than 36 inches (915 mm) above and parallel to the floor. Grab bars located at the side shall be a minimum 42 inches (1065 mm) in length located not more than 12 inches (305 mm) from the rear wall and extending at least 54 inches (1370 mm) from the rear wall. Grab bars located at the back shall be a minimum of 36 inches (915 mm) in length and shall extend at least 12 inches (305 mm) beyond the center of the water closet toward the side wall and at least 24 inches (610 mm) toward the open side of the water closet. Grab bars located at the back shall be mounted not more than 9 inches (230 mm) behind the water closet seat. See also Section 1106.11.11.

1106.11.5.4 Flush controls. Flush controls shall be mounted for use from the wide side of the water closet area and not more than 44 inches (1118 mm) above the floor. Flush valves shall comply with Section 1106.3.

1106.11.5.5 Dispensers and receptacles. Toilet paper and other dispensers or receptacles shall be installed within easy reach of the water closet, and shall not interfere with unobstructed floor space or grab bar utilization.

1106.11.6 Urinals. A clear floor space measuring 30 inches (760 mm) in width by 48 inches (1220 mm) in depth shall be provided in front of urinals to allow for forward approach. Urinal shields shall have a clear space between them of not less than 29 inches (737 mm) and shall not extend farther than the front edge of the urinal rim. Urinals shall be stall-type or wall-hung with an elongated rim at a maximum of 17 inches (430 mm) above the floor. Flush controls shall be mounted not more than 44 inches (1118 mm) above the floor. Flush valves shall comply with Section 1106.3.

1106.11.7 Lavatories and sinks.

1106.11.7.1 Clear floor space. A clear floor space not less than 30 inches (760 mm) in width by 48 inches (1220 mm) in depth shall be provided in front of lavatories and sinks to allow a forward approach. The clear floor space may include knee and toe clearances not to exceed 19 inches (485 mm) extending under the lavatory or sink.

1106.11.7.2 Height. Lavatories and sinks shall be mounted with the rim or counter surface no higher than 34 inches (865 mm) above the finished floor.

1106.11.7.3 Knee and toe clearances.

1106.11.7.3.1 Lavatories. The total depth of the clear space beneath a lavatory shall be not less than 17 inches (430 mm), of which toe clearance shall be not more than 6 inches (152 mm) of the total depth. Knee clearance shall be not less than 29 inches (237 mm) in height and 30 inches (760 mm) in width.

1106.11.7.3.2 Sinks. Knee clearance not less than 27 inches (685 mm) in height, 30 inches (760 mm) in width, and 19 inches (485 mm) in depth shall be provided underneath sinks.

1106.11.7.4 Exposed pipes and surfaces. Hot water and drain pipes exposed under lavatories and sinks shall be insulated or otherwise covered. There shall be no sharp or abrasive surfaces under lavatories or sinks.

1106.11.7.5 Faucets. Faucet control handles shall be located not more than 17 inches (430 mm) from the front edge of the lavatory, sink or counter, and shall comply with Section 1106.3. Self-closing valves shall remain open for at least 10 seconds per operation.

1106.11.7.6 Sink depth. Sinks shall be not more than 6-1/2 inches (165 mm) in vertical depth.

1106.11.8 Mirrors, dispensers, and other fixtures. Mirrors or shelves shall be installed so that the bottom of the mirror or the top of the shelf is within 40 inches (1015 mm) of the floor.

Drying equipment, towel or other dispensers, and disposal fixtures shall be mounted so as to not exceed 40 inches (1015 mm) above the finished floor to any rack, operating controls, receptacle or dispenser.

1106.11.9 Bathtubs.

1106.11.9.1 Clear floor space. A clear floor space not less than 60 inches (1525 mm) in length shall be provided along the tub. Where the required seat is located at the end of the tub, the clear floor space shall be not less than 75 inches (1905 mm) in length. The clear floor space shall be not less than 30 inches (760 mm) in width where access to the space is parallel to the tub and not less than 48 inches (1220 mm) in width where access to the space is at right angles to the tub.

A lavatory which complies with Section 1106.11.7, above, may be located in the clear floor space for the tub.

Where a seat is provided and a lavatory is located in the clear floor space for the tub, the lavatory shall be located at the end of the tub adjacent to the controls.

1106.11.9.2 Seats. An in-tub seat or a seat at the end of the tub shall be provided. In-tub seats shall be portable and removable, not less than 12 inches (305 mm) in width, and extend the full width of the tub. Seats at the end of the tub shall be constructed flush with the top of the tub and shall extend not less than 15 inches (380 mm) from the end of the tub. Seats shall be mounted securely and shall not slip during use.

1106.11.9.3 Grab bars. All required grab bars shall be installed parallel to the floor. Lower grab bars shall be installed centered 9 inches (230 mm) above the tub rim. Upper or single grab bars shall be installed centered not less

than 33 inches (840 mm) and not more than 36 inches (915 mm) above the floor of the clear space.

Where a tub has a seat at the end, two grab bars not less than 48 inches (1220 mm) in length shall be installed on the wall opposite the clear floor space. One end of each grab bar shall terminate where the tub abuts the seat.

Where a tub has an in-tub seat, two grab bars, not less than 24 inches (610 mm) in length, shall be installed on the wall opposite the clear floor space. The grab bars shall extend to not less than 24 inches (610 mm) from one end of the tub and not less than 12 inches (305 mm) from the other end. One grab bar shall be installed on the wall at the end of the tub opposite the drain, extending at least 12 inches (305 mm) from the clear floor space.

For all bathtubs, one grab bar shall be installed on the wall at the end of the tub nearest the drain, extending at least 24 inches (610 mm) from the clear floor space.

1106.11.9.4 Controls and fixtures. Faucets and other controls shall be located above the tub rim and below the grab bars, shall be offset laterally from the clear floor space between the open edge of the tub and the mid-point of the tub and shall comply with Section 1106.3.

A shower spray unit, with a hose at least 60 inches (1525 mm) long, that can be used as a fixed shower head or as a hand-held shower, shall be provided.

1106.11.9.5 Bathtub enclosures. Where provided, enclosures for bathtubs shall not obstruct controls or obstruct transfer from wheelchairs onto bathtub seats or into tubs. Bathtub enclosures shall not have tracks mounted on the tub rim.

1106.11.10 Shower stalls.

1106.11.10.1 Configuration. Shower stalls shall have one of the following configurations:

1. Transfer shower stalls shall be 36 inches by 36 inches (915 by 915 mm), nominal, and shall have a seat; or,

2. Roll-in shower stalls shall be not less than 30 inches (760 mm) in depth by 60 inches (1525 mm) in length.

1106.11.10.2 Clear floor space. A clear floor space shall be provided adjacent to shower stalls.

1. For transfer shower stalls, a clear floor space not less than 48 inches (1220 mm) in length, parallel to the open side of the shower stall, and not less than 36 inches (915 mm) in width, perpendicular to the open edge of the shower stall, shall be located so as to extend at least 12 inches (305 mm) beyond the wall on which the seat is mounted.

2. For roll-in shower stalls, a clear floor space not less than 60 inches (1525 mm) in length, parallel to the open edge of the shower stall, and not less than 36 inches (915 mm) in width, perpendicular to the open edge of the shower stall, shall be provided. A lavatory which complies with Section 1106.11.7, above, may be located within one end of the clear floor space. Where a seat is provided in the shower, a lavatory may be located only at the opposite end of the clear space.

1106.11.10.3 Seats. Transfer shower stalls shall be provided with a folding or non-folding seat located on the wall opposite the shower controls.

Roll-in shower stalls shall be provided with a folding seat located on the wall adjacent to the shower controls.

EXCEPTION: Roll-in shower stalls located in occupancies other than hotels, lodging houses and congregate residences need not be provided with a seat.

The seat shall be mounted not less than 17 inches (430 mm) and not more than 19 inches (485 mm) above the floor. The seat shall be mounted not more than 1-1/2 inches (38 mm) from the shower walls. The leading edge of the seat may be set back not more than 1-1/2 inches (38 mm) from the leading edge of the shower stall.

The seat shall be L-shaped and shall extend the full depth of the stall. The section of the seat adjacent to the wall opposite the clear floor space shall be at least 22 inches (560 mm) and not more than 23 inches (585 mm) wide, measured from the wall on which the seat is mounted. That section of the seat shall extend not less than 14 inches (355 mm) but not more than 15 inches (380 mm), measured from the wall opposite the clear floor space. The remaining portion of the seat shall be not less than 15 inches (380 mm) and not more than 16 inches (405 mm) wide, measured from the wall on which the seat is mounted, and shall extend the remaining depth of the stall.

1106.11.10.4 Grab bars. All required grab bars shall be installed parallel to the floor. All grab bars shall be installed not less than 33 inches (840 mm) and not more than 36 inches (915 mm) above the floor of the adjacent clear space.

For transfer shower stalls, a grab bar, not less than 18 inches (455 mm) in length, shall be installed on the wall opposite the clear floor space. One end of the grab bar shall terminate at the wall opposite the seat. A grab bar not less than 27 inches (685 mm) in length shall also be installed on the wall opposite the seat.

For roll-in shower stalls, grab bars shall be provided on all permanent stall walls. Grab bars located on either end of the stall shall be not less than 27 inches (685 mm) in length. The grab bar located opposite the clear space shall be not less than 48 inches (1220 mm) in length.

1106.11.10.5 Controls and fixtures. Faucets and other controls shall be located on the same wall as the shower spray unit, and shall be installed not less than 38 inches (965 mm) or more than 48 inches (1220 mm) above the shower floor and shall comply with Section 1106.3. In addition:

1. For transfer shower stalls, the controls shall be located on the wall opposite the shower seat. The controls shall be located within 18 inches (455 mm) of the open side of the shower stall.

2. For roll-in shower stalls equipped with seats, the controls shall be mounted on the wall adjacent to the seat not more than 27 inches (685 mm) from the wall where the seat is mounted. For roll-in shower stalls without seats, the controls may be located on any wall. Where the controls are located on the back wall, they shall be located not more than 27 inches (685 mm) from a side wall.

A shower spray unit, with a hose at least 60 inches (1525 mm) long, that can be used as a fixed shower head or as a hand-held shower, shall be provided.

EXCEPTION: In unmonitored facilities where vandalism is a consideration, a fixed shower head may be installed not more than 48 inches (1220 mm) above the stall floor.

1106.11.10.6 Thresholds. In transfer shower stalls, thresholds shall be flush or beveled with a maximum edge height of 1/2 inch (13 mm), and a maximum slope of not more than 1 vertical in 2 horizontal.

Thresholds in roll-in shower stalls shall be level with the adjacent clear space.

1106.11.10.7 Shower enclosures. Where provided, enclosures for shower stalls shall not obstruct controls or obstruct transfer from wheelchairs onto shower seats.

1106.11.11 Structural requirements for grab bars, and tub and shower seats.

1106.11.11.1 General. All grab bars, and tub and shower seats required to be accessible, shall comply with this section.

1106.11.11.2 Size and spacing of grab bars. Grab bars shall have an outside diameter of not less than 1-1/4 inch (32 mm) nor more than 1-1/2 inches (38 mm) and shall provide a clearance of 1-1/2 inches (38 mm) between the grab bar and the wall.

1106.11.11.3 Structural strength. The structural strength of grab bars, tub and shower seats, fasteners and mounting devices shall meet the following specification:

1. Bending stress in a grab bar or seat induced by the maximum bending moment from the application of 300 pounds (1334 N) shall be less than the allowable stress for the material of the grab bar or seat.

2. Shear stress induced in a grab bar or seat by the application of 300 pounds (1334 N) shall be less than the allowable shear stress for the material of the grab bar or seat. If the connection between the grab bar or seat and its mounting bracket or other support is considered to be fully restrained, then direct and torsional shear stresses shall be totaled for the combined shear stress, which shall not exceed the allowable shear stress.

3. Shear force induced in a fastener or mounting device from the application of 300 pounds (1334 N) shall be less than the allowable lateral load of either the fastener or mounting device or the supporting structure, whichever is the smaller allowable load.

4. Tensile force induced in a fastener by a direct tension force of 300 pounds (1334 N) plus the maximum moment from the application of 300 pounds (1334 N) shall be less than the allowable withdrawal load between the fastener and the supporting structure.

1106.11.11.4 Special hazards. A grab bar and any wall or other surface adjacent to it shall be free of any sharp or abrasive elements. Edges shall have a minimum radius of 1/8 inch (3 mm).

1106.12 Kitchens.

1106.12.1 Clear floor space. An unobstructed floor space shall be provided within kitchens of sufficient size to inscribe a circle with a diameter not less than 60 inches (1525 mm). Doors in any position may encroach into this space by not more than 12 inches (305 mm). The clear floor spaces at fixtures, the accessible route of travel, and the unobstructed floor space may overlap.

1106.12.2 Counter surfaces and shelving. Within Type A dwelling units, a counter surface, a minimum of 30 inches (760 mm) wide by 24 inches (610 mm) deep, shall be provided at a maximum height of 34 inches (865 mm), with a knee space beneath at least 27 inches (685 mm) in height.

In other than dwelling units, at least 50 percent of shelf space in cabinets, refrigerators and freezers shall be within the reach ranges specified in Section 1106.2.4.

1106.13 Water Fountains.

1106.13.1 Clear floor space. Wall- and post-mounted cantilevered units shall have a minimum clear floor space in front of the unit, of 30 inches (760 mm) in width by 48 inches (1220 mm) in depth to allow a forward approach.

Free-standing or built-in units not having a clear space beneath them shall have an adjacent clear floor space at least 30 inches (760 mm) in depth by 48 inches (1220 mm) in width in order to allow a person in a wheelchair to make a parallel approach to the unit.

1106.13.2 Knee space. Wall- and post-mounted cantilevered units shall have knee space in accordance with Section 1106.2.4.3. The knee space shall be not less than 17 inches (430 mm) nor more than 19 inches (485 mm) in depth.

1106.13.3 Spout location. Spouts shall be located not more than 36 inches (915 mm) above the floor or ground surface. Spouts shall be located at the front of the unit and shall direct a water flow not less than 4 inches (102 mm) in height, in a trajectory parallel to the front of the unit. Recessed units shall be installed such that the spout is not recessed beyond the plane of the wall.

1106.13.4 Controls. Controls shall be located not more than 6 inches (152 mm) from the front of the unit and shall comply with Section 1106.3. The force required to activate the control shall not exceed 5 pounds (22.2 N).

1106.13.5 Water fountains in alcoves. Where a unit is installed in an alcove greater than 8 inches (205 mm) in depth, the alcove shall be not less than 48 inches (1220 mm) in width. A minimum 24 inches (610 mm) of clear space shall be provided from the spout to the nearest side wall of the alcove.

1106.14 Telephones.

1106.14.1 Clear floor or ground space. A clear floor or ground space, not less than 30 inches (760 mm) by 48 inches (1220 mm), that allows either a forward or parallel approach, shall be provided in front of telephones. Bases, enclosures and fixed seats shall not project into the clear floor space.

Where parallel approach is provided, any shelf or enclosure shall not project farther than 10 inches (255 mm) beyond the face of the telephone.

Where a forward approach is provided, any shelf shall not project farther than 20 inches (510 mm) beyond the face of the telephone; any enclosure panels shall be a minimum 30 inches (760 mm) apart, and where less than 36 inches (915 mm) apart, shall project no more than 24 inches (610 mm) beyond the face of the phone.

1106.14.2 Height. The highest operable part of a telephone shall be within the reach ranges specified in Section 1106.2.4.

1106.14.3 Equipment for persons with hearing impairments. Telephones shall be equipped with volume controls and shall be hearing aid compatible. Volume controls shall be capable of increasing volume not less than 12 dbA nor more than 18 dbA above normal.

EXCEPTION: Where an automatic reset is provided, 18 dbA may be exceeded.

1106.14.4 Controls. Telephones shall have pushbutton controls where service for such equipment is available.

1106.14.5 Cord length. The cord from the telephone to the handset shall be not less than 29 inches (737 mm) in length.

1106.14.6 Text telephones. Text telephones shall be permanently affixed within, or adjacent to, the telephone enclosure. Where an acoustic coupler is used, the telephone cord shall be sufficiently long to allow connection of the text telephone and the telephone receiver.

1106.14.7 Shelf and electrical outlet. Shelves and an electrical outlet shall be located within or adjacent to the telephone enclosure. The shelf shall be not less than 10 inches by 10 inches (255 mm by 255 mm) in dimension, with a vertical clearance above the shelf of not less than 6 inches (152 mm). The telephone handset shall be capable of being placed flush on the surface of the shelf.

1106.15 Alarms.

1106.15.1 Audible alarms. Audible alarms shall produce a sound in accordance with the Fire Code.

1106.15.2 Visible alarms. Visible alarm signal appliances shall be integrated into the building or facility alarm system. Where single-station audible alarms are provided, single-station visible alarm signals shall be provided.

EXCEPTION: Dwelling units in Group R, Division 1 apartment buildings.

Visible alarms shall be located not less than 80 inches (2030 mm) above floor level, or 6 inches (152 mm) below the ceiling, whichever is lower, and at an interval of not more than 50 feet (15 m) horizontal, in rooms, corridors, and hallways.

In rooms or spaces exceeding 100 feet (30 m) in horizontal dimension, with no obstructions exceeding 6 feet (1830 mm) in height above the finished floor, visible alarms may be placed around the perimeter at intervals not to exceed 100 feet (30 m) horizontally.

Visible alarm signals shall comply with the following criteria:

1. The lamp shall be a xenon strobe type or equivalent.
2. The color shall be clear or unfiltered white light.

3. The maximum pulse duration shall be two-tenths of one second (0.2 sec) with a maximum duty cycle of 40 percent. The pulse duration is defined as the time interval between initial and final point of 10 percent of maximum signal.

4. The intensity shall be a minimum of 75 candela.

5. The flash rate shall be a minimum of 1 Hz and a maximum of 3 Hz.

1106.15.3 Access to manual fire alarm systems. Manual fire alarm devices shall be mounted not more than 54 inches (1370 mm) above the floor where a parallel approach is provided.

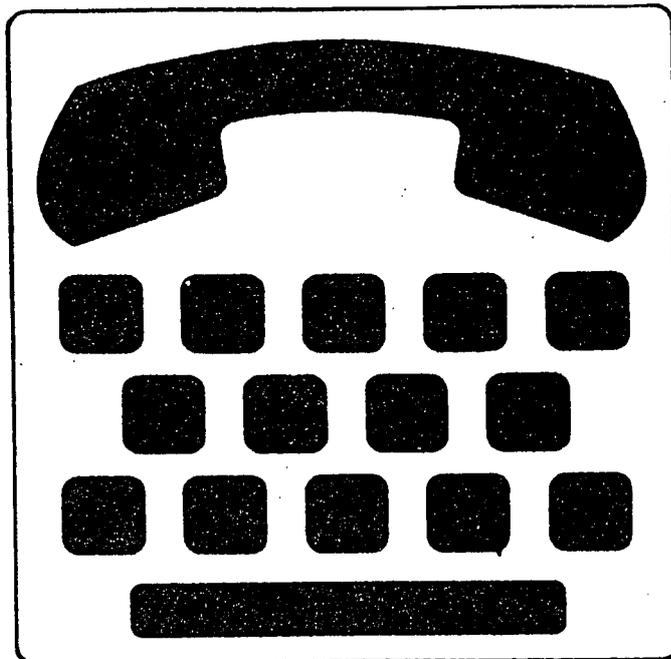
1106.16 Signage.

1106.16.1 Symbols.

1106.16.1.1 International Symbol of Access. The International Symbol of Access shall be as shown below:



1106.16.1.2 Text telephones. Text Telephones required by Section 1105.4.2 shall be identified by the International Text Telephone Symbol as shown below:



1106.16.1.3 Assistive listening systems. Permanently installed assistive listening systems that are required by Section 1103.1.2.2 shall be identified by the International Symbol of Access for Hearing Loss as shown below:



1106.16.1.4 Volume control telephones. Telephones required by Section 1105.4.2 to have volume controls shall be identified by a handset containing a depiction of a telephone handset with radiating sound waves.

1106.16.2 Mounting location and height. Signs shall be installed on the wall adjacent to the latch side of the door. Signs shall be centered at 60 inches (1525 mm) above the finished floor. Mounting location for such signage shall be such that a person may approach within 3 inches (76 mm) of

PERMANENT

signage without encountering protruding objects or standing within the swing of a door.

1106.16.3 Finish and color. Characters and symbols shall have a high contrast with their background. The character and background of interior signs shall be eggshell, matte, or other nonglare finish.

All interior and exterior signs depicting the International Symbol of Access shall be white on a blue background.

1106.16.4 Character proportion and height. Letters and numbers on signs shall have a width-to-height ratio between 3:5 and 1:1 and a stroke-width-to-height ratio between 1:5 and 1:10.

Characters and numbers on signs shall be sized according to the viewing distance from which they are to be read. The minimum character height for signs that are suspended or projected overhead is 3 inches (76 mm) for upper case letters. Lower case letters are permitted.

1106.16.5 Raised and Braille characters and pictorial symbol signs (pictograms).

1106.16.5.1 Raised characters and symbols. Characters and symbols on tactile signs shall be raised at least 1/32 inch (.8 mm). Raised characters and symbols shall be simple type face upper case characters. Raised characters and symbols shall be between 5/8 inch (16 mm) and 2 inches (51 mm) in height. Raised characters shall be accompanied by Braille in accordance with this section.

1106.16.5.2 Braille. Braille shall be separated from the corresponding raised characters or symbols. Braille shall be Grade 2.

1106.16.5.3 Pictograms. Where provided, pictograms shall be accompanied by the equivalent verbal description placed directly below the pictogram. The border dimension of the pictogram shall be not less than 6 inches (152 mm) in height.

1106.17 Detectable Warnings. Detectable warnings on walking surfaces shall consist of raised truncated domes having a diameter of 0.9 inches (23 mm) nominal, a height of 0.2 inches (5 mm) nominal, and a center-to-center spacing of 2.35 inches (60 mm) nominal, and shall contrast visually with adjoining surfaces.

1106.18 Storage, Shelving and Display Units.

1106.18.1 Clear floor space. Storage, shelving and display units shall have a clear floor space, not less than 30 inches (760 mm) by 48 inches (1220 mm), that allows for either a forward or parallel approach.

1106.18.2 Height. Accessible storage, shelving and display units shall be within the reach ranges specified in Section 1106.2.4. Clothes rods shall be not more than 54 inches (1370 mm) above the floor.

1106.19 Seating, Tables, and Sinks.

1106.19.1 Clear floor space. Sinks and seating spaces at tables shall have a clear floor space of not less than 30 inches (760 mm) by 48 inches (1220 mm), that allows forward approach. The clear floor space shall not overlap knee space by more than 19 inches (483 mm).

1106.19.2 Knee clearances. Knee spaces at tables, counters, and sinks shall be provided in accordance with Section 1106.2.4.3. In addition, the depth of the knee space shall be not less than 19 inches (483 mm). No projection which might obstruct the arm of a wheelchair may intrude into this clearance, within 24 inches (610 mm) horizontally from the table edge.

1106.19.3 Height. The tops of tables and sinks shall be not less than 28 inches (710 mm) nor more than 34 inches (865 mm) in height above the floor or ground.

1106.20 Aisles. All aisles required to be accessible, including check out aisles, food service lines, and aisles between fixed tables, shall be not less than 36 inches (915 mm) in width.

1106.21 Assembly Areas.

1106.21.1 Wheelchair spaces.

1106.21.1.1 Location. Wheelchair spaces shall be an integral part of any fixed seating plan and shall be dispersed throughout the seating area. Spaces shall adjoin an accessible route of travel that also serves as a means of egress and shall be located to provide lines of sight comparable to those for all viewing areas.

EXCEPTION: Accessible viewing positions may be clustered for bleachers, balconies and other areas having sight lines that require slopes of greater than 5 percent. Equivalent accessible viewing positions may be located on levels having accessible egress.

1106.21.1.2 Size. Wheelchair spaces shall be not less than 33 inches (840 mm) in width. Where forward or rear approach is provided, wheelchair spaces shall be not less than 48 inches (1220 mm) in depth. Where only side approach is provided, wheelchair spaces shall be not less than 60 inches (1525 mm) in depth.

1106.21.1.3 Surfaces. The ground or floor surfaces at wheelchair locations shall be level and shall comply with Section 1106.7.

1106.21.2 Placement of assistive listening systems. Where an assistive listening system serves individual fixed seats, such seats shall have a clear line of sight and shall be located not more than 50 feet (15 m) from the stage or performance area.

1106.22 Restaurants and Cafeterias.

1106.22.1 Aisles. Aisles to fixed tables required to be accessible shall comply with Section 1106.20.

1106.22.2 Food service lines.

1106.22.2.1 Clear floor space. Food service lines shall comply with Section 1106.20.

1106.22.2.2 Height. Tray slides shall be mounted not more than 34 inches (865 mm) in height above the floor.

1106.22.2.3 Counters and bars. Where service of food or drink is provided at counters more than 34 inches (865 mm) in height, to customers seated on stools or standing, a portion of the main counter shall be provided in compliance with Section 1106.19, or service shall be available at accessible tables within the same area.

1106.22.2.4 Tableware and condiment areas. Self-service shelves and dispensing devices for tableware, dishware, condiments, food, and beverages shall be installed to comply with Section 1106.18.

1106.23 Patient bedrooms. Each patient bedroom shall be designed and constructed to provide space for a 180-degree turn that complies with Section 1106.2.2. Each patient room shall have a minimum clear floor space not less than 36 inches (915 mm) on each side of any bed.

1106.24 Customer Service Facilities.

1106.24.1 Dressing and fitting rooms.

1106.24.1.1 Clear floor space. Each dressing and fitting room shall have a clear floor space complying with Section 1106.2.

EXCEPTION: Dressing and fitting rooms that are entered through a curtained opening need not comply with Section 1106.2.2.

1106.24.1.2 Doors. All doors to accessible dressing and fitting rooms shall comply with Section 1106.10.

1106.24.1.3 Benches. Every accessible dressing or fitting room shall have a bench installed adjacent to the longest wall in the room. The bench shall be not less than 24 inches (610 mm) in width and 48 inches (1220 mm) in length, and shall be mounted not less than 17 inches (430 mm) nor more than 19 inches (483 mm) above the finished floor.

Clear floor space shall be provided adjacent to the bench to allow for parallel transfer, and the structural strength of the bench shall comply with Section 1106.11.11.3.

Where benches are installed in dressing and fitting rooms adjacent to showers, swimming pools, or other wet locations, water shall not accumulate upon the surface of the bench and the bench shall have a slip-resistant surface.

1106.24.1.4 Mirrors. Where provided, mirrors in accessible dressing and fitting rooms shall be not less than 18 inches (455 mm) in width by 54 inches (1370 mm) in height and shall be mounted opposite the bench.

1106.24.2 Counters and windows. Where counters are required to be accessible, the accessible portion shall be not less than 36 inches (915 mm) in length and not more than 36 inches (915 mm) in height above the finished floor.

Where accessible windows are required, they shall be no more than 36 inches (915 mm) in height above the finished floor.

EXCEPTION: An auxiliary counter with a maximum height of 36 inches (915 mm) is installed in close proximity to the main counter.

1106.24.3 Check-out aisles. The width of accessible check-out aisles shall comply with Section 1106.20. Counters in accessible check-out aisles shall be not more than 38 inches (965 mm) in height, and the top of the raised edge of the counter shall not exceed 40 inches (1015 mm) in height above the finished floor.

Accessible check-out aisles shall be identified by the International Symbol of Access in accordance with Section 1106.16.1.1.

1106.25 Libraries.

1106.25.1 Reading and study areas. At least 5 percent, or a minimum of one, of each element of fixed seating, tables, or study carrels shall comply with Section 1106.19. Clearances between fixed accessible tables and study carrels shall comply with Section 1106.20.

1106.25.2 Check-out areas. At least one lane at each check-out area shall comply with Section 1106.20. Any traffic control or book security gates or turnstiles shall comply with Section 1106.10.

1106.25.3 Card catalogs, magazine displays and stacks.

1106.25.3.1 Aisles. Aisles between card catalogs, magazine displays or stacks shall comply with Section 1106.20.

1106.25.3.2 Height. Card catalogs or magazine displays shall have a reach height of not more than 54 inches (1370 mm) for side approach and not more than 48 inches (1220 mm) for forward approach.

Not all shelves in library stacks need be located within reach ranges required by Section 1106.2.4.

1106.26 Hotels and Congregate Residences.

1106.26.1 Clear floor space. Each sleeping room shall have a space complying with Section 1106.4.1, along both sides of each bed.

EXCEPTION: In rooms with two beds, only one 36 inch (915 mm) wide maneuvering space need be provided between the two beds.

1106.26.2 Accessible route of travel. An accessible route of travel complying with Section 1103.2.2 shall connect all accessible spaces and elements; including telephones, patios, terraces, balconies, carports, garages or parking spaces; with all accessible sleeping rooms.

1106.26.3 Doors. Doors within all sleeping rooms, suites or other covered units shall comply with Section 1106.10.

1106.26.4 Storage. Where fixed or built-in storage is provided in accessible units, sleeping rooms, or suites; including cabinets, shelves, closets, and drawers; at least one of each type shall comply with Section 1106.18.

1106.26.5 Controls. All controls in accessible units, sleeping rooms, and suites shall comply with Section 1106.3.

1106.27 Dwelling Units.

1106.27.1 Type A and B dwelling units. Type A and B dwelling units shall comply with Section 1106.

EXCEPTIONS:

1. In a Type A accessible dwelling unit with two or more stories, access to other levels is not required if the accessible level complies with all requirements for Type A accessible dwelling units and that kitchen, toilet and bathing facilities, and at least one bedroom are provided on the accessible level.
2. Kitchens in Type B dwelling units need not comply with Section 1106.12.1, provided that:
 - 2.1. A clear space at least 30 inches by 48 inches (760 mm by 1220 mm) that allows parallel approach by a person in a wheelchair is provided at the range or cook top and sink, and either a parallel or forward approach is provided at all other appliances; and,
 - 2.2. In all other kitchens, clearance between all opposing counters, base cabinets, countertops, appliances, and walls shall be not less than 40 inches (1015 mm); and,

2.3. In "U" shaped kitchens with a sink, range, or cooktop at the base of the "U", an unobstructed floor space of sufficient size to inscribe a circle with a diameter of not less than 60 inches (1525 mm) shall be provided.

3. Bathrooms in Type B dwelling units need not comply with Section 1106.11.2, provided that sufficient maneuvering space which is not less than 30 inches by 48 inches (760 by 1220 mm) is provided within the bathroom. Doors may swing into the clear floor space provided at any fixture, but shall not encroach on the required maneuvering space.

4. Doors in Type B dwelling units, other than the primary entry door, need not comply with Section 1106.10.3.

5. Mezzanines in Type A or B dwelling units need not be accessible.

6. Raised or sunken floors in Type B dwelling units need not be accessible, provided that they do not interfere with the accessible route of travel through the unit, and are not located in the kitchen or bathroom.

7. Counter surfaces in Type B dwelling units need not comply with Section 1106.12.2.

8. Within an individual dwelling unit in an elevator building, access to other levels is not required if the accessible level complies with all requirements for accessible dwelling units and contains a bathroom.

9. In Type B dwelling units, exterior deck, patio, or balcony surfaces may be no more than 4 inches (100 mm) below the floor level of the interior surface where the exterior surface is constructed of an impervious material such as concrete, brick, or flagstone.

10. Vanities or lavatories in Type A and B dwelling units may be located in the clear floor spaces as permitted in Section 1106.11.5.1.

11. Seats for bathtubs or showers are not required in Type B dwelling units.

12. In Type B dwelling units, the clear floor space for bathtubs or showers may be reduced to not less than 30 inches (760 mm) in width by 48 inches (1220 mm) in length.

1106.27.2 Adaptable fixtures for dwelling units.

1106.27.2.1 Grab bars. Grab bars may be omitted in bathing and toilet facilities within Type A or B dwelling units, provided that all structural reinforcements for grab bar installation are provided in the appropriate locations in the adjoining walls.

1106.27.2.2 Kitchen counters. Cabinets or shelving may be installed beneath the counter space required by Section 1106.12.2, provided that such cabinetry or shelving is not permanent, and is easily removable.

1106.27.2.3 Lavatories. Cabinets or shelving may be installed beneath bathroom lavatories provided that such cabinetry or shelving is not permanent, and is easily removable.

1106.27.2.4 Signage. Parking signage required by Section 1107.3 need not be installed in spaces designated for accessible dwelling units.

NEW SECTION

WAC 51-30-1107 Section 1107—Parking facilities.

Section 1107.1 Accessible Parking Required.

1107.1.1 General. For other than Group R, Division 1 apartment buildings, when parking lots or garage facilities are provided, accessible parking spaces shall be provided in accordance with Table No. 11-F.

1107.1.2 Inpatient and outpatient medical care facilities. For Group I, Division 1.1, 1.2 and 2 units and facilities specializing in the treatment of persons with mobility impairments on either an inpatient or outpatient basis, 20 percent of the parking spaces provided accessory to such units and facilities shall be accessible.

1107.1.3 Outpatient medical care facilities. For Group I, Division 1.1 and 1.2 Occupancies providing outpatient medical care facilities, 10 percent of the parking spaces provided accessory to such occupancies shall be accessible.

1107.1.4 Apartment buildings. For Group R, Division 1 apartment buildings where parking is provided, one accessible parking space shall be provided for each Type A dwelling unit and reserved for its occupants. In addition, where the total parking provided on a site exceeds 1 parking space per dwelling unit, not less than 2 percent, and in no case less than 1 space, of this additional parking shall be accessible.

1107.1.5 Van parking. For other than Group R, Division 1 apartment buildings, where accessible parking is required, one of every eight accessible parking spaces, or fraction thereof, shall be designed to be accessible to vans.

1107.1.6 Location of parking. Accessible parking spaces shall be located on the shortest possible accessible route of travel to an accessible building entrance. In facilities with multiple accessible building entrances with adjacent parking, accessible parking spaces shall be dispersed and located near the accessible entrances. Wherever practical, the accessible route of travel shall not cross lanes of vehicular traffic. Where crossing traffic lanes is necessary, the route of travel shall be designated and marked as a crosswalk.

EXCEPTION: In multilevel parking structures, all accessible van parking spaces may be located on the same level.

Where a parking facility is not accessory to a particular building, accessible parking spaces shall be located on the shortest accessible route to an accessible pedestrian entrance to the parking facility.

1107.2 Design and Construction.

1107.2.1 General. When accessible parking spaces are required by this section, they shall be designed and constructed in accordance with this section.

1107.2.2 Size. Parking spaces shall be not less than 96 inches (2440 mm) in width and shall have an adjacent access aisle not less than 60 inches (1525 mm) in width. Van accessible parking spaces shall have an adjacent access aisle not less than 96 inches (2440 mm) in width.

Where two adjacent spaces are provided, the access aisle may be shared between the two spaces. Boundaries of access aisles shall be marked so that the aisles will not be used as parking space.

1107.2.3 Vertical clearance. Where accessible parking spaces are required for vans, the vertical clearance shall be not less than 114 inches (2895 mm) at the parking space and along at least one vehicle access route to such spaces from site entrances and exits.

1107.2.4 Slope. Accessible parking spaces and access aisles shall be located on a surface with a slope not to exceed 1 vertical in 48 horizontal.

1107.2.5 Surface. Parking spaces and access aisles shall be firm, stable, smooth, and slip-resistant.

1107.3 Signs. Every parking space required by this section shall be identified by a sign, centered between 3 and 5 feet (915 mm and 1525 mm) above the parking surface, at the head of the parking space. The sign shall include the International Symbol of Access and the phrase "State Disabled Parking Permit Required".

Van accessible parking spaces shall have an additional sign mounted below the International Symbol of Access identifying the spaces as "Van Accessible."

EXCEPTION: Where all of the accessible parking spaces comply with the standards for van accessible parking spaces.

(See also Section 1106.27.2)

NEW SECTION

WAC 51-30-1108 Section 1108—Passenger loading zones.

Section 1108.1 Location. Where provided, passenger loading zones shall be located on an accessible route of travel.

1108.2 Design and Construction.

1108.2.1 General. Passenger loading zones shall be designed and constructed in accordance with this section.

1108.2.2 Size. Passenger loading zones shall provide an access aisle not less than 60 inches (1525 mm) in width by 20 feet (6 m) in length with the long dimension abutting and parallel to: A: the vehicle space on one side; and B: an accessible route of travel on the other.

1108.2.3 Slope. Such zones shall be located on a surface with a slope not exceeding 1 vertical in 48 horizontal.

PART III - ACCESSIBILITY FOR EXISTING BUILDINGS

NEW SECTION

WAC 51-30-1109 Section 1109—Scope.

Section 1109.1 General. The provisions of this part apply to renovation, alterations, and additions to existing buildings including those identified as historic buildings. This chapter includes minimum standards for removing architectural barriers, and providing and maintaining accessibility for persons with disabilities to existing buildings and their related facilities.

1109.2 Equivalent Facilitation. Departures from specific technical and scoping requirements of this part by the use of alternate methods are permitted where such methods will provide equivalent or greater access to, and usability of, the facility. Alternate methods shall permit individuals with disabilities to approach, enter, and use a site, building, facility or portion thereof; as easily, safely, conveniently, and independently as the specified method.

NEW SECTION

WAC 51-30-1110 Section 1110—Definitions.

Section 1110. For the purpose of this part, certain terms are designated as follows:

ALTERATION is any change, addition, or modification in construction or occupancy.

ALTERATION, SUBSTANTIAL is any alteration, where the total cost of all alterations (including but not limited to electrical, mechanical, plumbing, and structural changes) for a building or facility within any 12-month period amounts to 60 percent or more of the appraised value.

PATH OF TRAVEL means a continuous, unobstructed way of pedestrian passage by means of which an altered area may be approached, entered, and exited, and which connects the altered area with an exterior approach (including sidewalks, streets, and parking areas), an entry to the facility, and other parts of the facility. For the purposes of this part, the term path of travel also includes restrooms, telephones, and water fountains serving the altered area.

TECHNICALLY INFEASIBLE means that an alteration has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member which is an essential part of the structural frame, or because site constraints prohibit modification or addition of elements, spaces, or features which are in full and strict compliance with the minimum requirements for new construction and necessary to provide accessibility.

NEW SECTION

WAC 51-30-1111 Section 1111—Additions.

Section 1111 Additions. New additions may be made to existing buildings without making the entire building comply, provided the new additions conform to the provisions of Part II of this chapter, except as follows:

1. **Entrances.** Where a new addition to a building or facility does not have an accessible entrance, at least one entrance in the existing building or facility shall be accessible.

2. **Accessible Route.** Where the only accessible entrance to the addition is located in the existing building or facility, at least one accessible route of travel shall be provided through the existing building or facility to all rooms, elements and spaces in the new addition which are required to be accessible.

3. **Toilet and Bathing Facilities.** Where there are no toilet rooms and bathing facilities in an addition and these facilities are provided in the existing building, then at least one toilet and bathing facility in the existing facility shall comply with Section 1106 or with Section 1112.3.7.

4. **Group I Occupancies.** Where patient rooms are added to an existing Group I Occupancy, a percentage of the additional rooms equal to the requirement of Section 1103.1.6, but in no case more than the total number of rooms required by Section 1103.1.6, shall comply with Section 1106.23. Where toilet or bathing facilities are part

of the accessible rooms, they shall comply with Section 1106.11.

5. Path of Travel. Where an addition affects the access to or use of an area of primary function, to the maximum extent feasible, the path of travel to the area of primary function shall be made accessible.

EXCEPTION: Subject to the approval of the building official, the path of travel need not be made accessible if the cost of compliance with this part would exceed 20 percent of the total cost of construction, inclusive of the cost of eliminating barriers, within a 36-month period.

NEW SECTION

WAC 51-30-1112 Section 1112—Alterations.

Section 1112 Alterations.

1112.1 General.

1112.1.1 Compliance. Alterations to existing buildings or facilities shall comply with this section. No alteration shall reduce or have the effect of reducing accessibility or usability of a building, portion of a building, or facility. If compliance with this section is technically infeasible, the alteration shall provide accessibility to the maximum extent feasible.

EXCEPTION: Except when substantial as defined by Section 1110, alterations to Group R, Division 1 apartment buildings need not comply with this section.

1112.1.2 Existing elements. Where existing elements, spaces, essential features or common areas are altered, each such altered element, space, feature, or area shall comply with the applicable provisions of Part II of this chapter. Where an alteration is to an area of primary function, to the maximum extent feasible, the path of travel to the altered area shall be made accessible. See also Appendix Chapter 11 Division II.

EXCEPTIONS:

1. An accessible route of travel need not be provided to altered elements, spaces or common areas which are not areas of primary function.
2. Areas of evacuation assistance need not be added to an altered building.
3. Subject to the approval of the building official, the path of travel need not be made accessible if the cost of compliance with this part would exceed 20 percent of the total cost of construction, inclusive of the cost of eliminating barriers, within an 36-month period.

1112.1.3 Installation of stairs or escalators. Where an escalator or new stairway is planned or installed requiring major structural changes, then a means of vertical transportation (e.g. elevator, platform lift) shall be provided in accordance with this chapter.

1112.1.4 Other requirements.

1112.1.4.1 Where alterations of single elements, when considered together, amount to an alteration of a room or space in a building or facility, the entire area or space shall be accessible.

1112.1.4.2 No alteration of an existing element, space or area of a building shall impose a requirement for greater accessibility than that which would be required for new construction.

1112.1.4.3 Where the alteration work is limited solely to the electrical, mechanical or plumbing system or hazardous materials removal, and does not involve the alteration, structural or otherwise, of any elements and spaces required to be accessible under these standards, Chapter 11 does not apply.

1112.1.4.4 Where alterations would increase the number of public pay telephones to four, with at least one in the interior, or where the facility has four or more public pay telephones and one or more is altered; at least one interior text telephone shall be provided in accordance with Section 1106.14.

1112.1.4.5 Where a building has an accessible entrance, altered entrances need not be made accessible unless they provide access to areas of primary function.

1112.1.4.6 Where sleeping rooms are altered in an existing Group R, Division 1 hotel, at least 1 sleeping room that complies with Section 1106.26 shall be provided for each 25 sleeping rooms or fraction thereof. In addition, at least 1 sleeping room for each 25 sleeping rooms or fraction thereof shall have telephones, visible alarms, and visible notification devices in accordance with Section 1103.1.8.3.

1112.1.4.7 Where patient bedrooms are altered in an existing Group I Occupancy, a percentage of the altered bedrooms equal to the requirement of Section 1103.1.6, but in no case more than the total number of bedrooms required by Section 1103.1.6, shall comply with Section 1106.23. Where toilet or bathing facilities are part of the accessible rooms, they shall comply with Section 1106.11.

1112.2 Substantial Alterations. Where substantial alteration as defined in Section 1110 occurs to a building or facility, the entire building or facility shall comply with Part II of this code.

EXCEPTIONS:

1. Areas of evacuation assistance need not be added to a substantially altered building.
2. Type B Dwelling units need not be provided in buildings which are substantially altered.

1112.3 Modifications.

1112.3.1 General. The following modifications set forth in this section may be used for compliance where the required standard is technically infeasible or when providing access to historic buildings.

1112.3.2 Ramps. Curb ramps and ramps constructed on existing sites, or in existing buildings or facilities, may have slopes and rises greater than specified in Part II of this chapter, where space limitations preclude the use of 1 vertical in 12 horizontal slope or less, provided that:

1. A slope not greater than 1 vertical in 10 horizontal is allowed for a maximum rise of 6 inches (152 mm).

2. A slope not greater than 1 vertical in 8 horizontal is allowed for a maximum rise of 3 inches (76 mm).

3. Slopes greater than 1 vertical in 8 horizontal are prohibited.

1112.3.3 Stairways. Full extension of stair handrails is not required when such extension would be hazardous or impossible due to plan configuration. When an accessible

elevator is provided, existing stairs need not be made accessible.

1112.3.4 Elevators. Elevators shall comply with Chapter 296-81, Washington Administrative Code.

1112.3.5 Platform lifts. Upon the approval of the building official, platform lifts may be used in alterations, in locations in addition to those permitted in Part II of this chapter, if installation of an elevator is technically infeasible.

Platform lifts shall comply with Chapter 296-81 of the Washington Administrative Code.

1112.3.6 Doors.

1112.3.6.1 Clearance. When existing elements prohibit strict compliance with the clearance requirements, a projection of 5/8 inch (16 mm) maximum is permitted for the latch side door stop.

1112.3.6.2 Thresholds. Existing thresholds measuring 3/4 inch (19 mm) high or less which are modified to provide a beveled edge on each side, may be retained.

1112.3.7 Toilet rooms.

1112.3.7.1 Shared facilities. The addition of one unisex toilet facility accessible to all occupants on the floor may be provided in lieu of making existing toilet facilities accessible when it is technically infeasible to comply with either part of Chapter 11. The unisex facility shall be located in the same area as existing facilities.

1112.3.7.2 Number. The number of toilet facilities and water closets required by the Uniform Plumbing Code may be reduced by one, in order to provide accessible features.

1112.3.7.3 Signage. When existing toilet facilities are altered and not all are made accessible, directional signage complying with Section 1106.16.3 and 1106.16.4 shall be provided indicating the location of the nearest accessible toilet facility.

1112.3.8 Assembly areas. Seating shall adjoin an accessible route of travel that also serves as a means of emergency egress or route to an area for evacuation assistance. In alterations, accessibility to raised or sunken dining areas, or to all parts of outdoor seating areas is not required provided that the same services and amenities are provided in an accessible space usable by the general public and not restricted to use by people with disabilities.

1112.3.9 Dressing rooms. Where it is technically infeasible to meet the requirements of Part II of this chapter, one dressing room for each sex, or a unisex dressing room, on each level shall be accessible.

NEW SECTION

WAC 51-30-1113 Section 1113—Historic preservation.

Section 1113.1 General. Generally the accessibility provisions of this part shall be applied to historic buildings and facilities as defined in Section 3403.5 of this code.

The building official, after consulting with the appropriate historic preservation officer, shall determine whether provisions required by this part for accessible routes of travel

(interior or exterior), ramps, entrances, toilets, parking, or signage would threaten or destroy the historic significance of the building or facility.

If it is determined that any of the accessibility requirements listed above would threaten or destroy the historic significance of a building or facility, the modifications of Section 1112.3 for that feature may be utilized.

1113.2 Special Provisions. Where removing architectural barriers or providing accessibility would threaten or destroy the historic significance of a building or facility, the following special provisions may be used:

1. At least one accessible route from a site access point to an accessible route of travel shall be provided.

2. At least one accessible entrance which is used by the public shall be provided.

EXCEPTION: Where it is determined by the building official that no entrance used by the public can comply, access at any accessible entrance which is unlocked during business hours may be used provided directional signs are located at the primary entrance, and the accessible entrance has a notification system. The route of travel for the accessible entrance shall not pass through hazardous areas, storage rooms, closets, kitchens or spaces used for similar purposes.

3. Where toilet facilities are provided, at least one toilet facility complying with Section 1111 and 1112 shall be provided along an accessible route. Such toilet facility shall be a shared facility available to both sexes.

4. Accessible routes from an accessible entrance to all publicly used spaces, on at least the level of accessible entrance, shall be provided. Access should be provided to all levels of a building or facility when practical. Displays and written information and documents shall be located where they can be seen by a seated person.

NEW SECTION

WAC 51-30-1114 Section 1114—Appeal.

Section 1114.1 Request for Appeal. An appeal from the standards for accessibility for existing buildings may be filed with the building official in accordance with Section 105, when existing structural elements or physical constraints of the site prevent full compliance or would threaten or destroy the historical significance of a historic building.

1114.2 Review.

1114.2.1 Consideration of alternative methods. Review of appeal requests shall include consideration of alternative methods which may provide partial access.

1114.2.2 Waiver or modification of requirements. The appeals board may waive or modify the requirements of this section when it is determined that compliance with accessibility requirements would threaten or destroy the historic significance of a building or facility.

NEW SECTION

WAC 51-30-1120 Table No. 11-A.

**TABLE NO. 11-A
WHEELCHAIR SPACES REQUIRED IN ASSEMBLY AREAS**

Capacity of Seating in Assembly Area	Number of Required Wheelchair Spaces
4 to 25	1
26 to 50	2
51 to 300	4
301 to 500	6
over 500	6 plus 1 for each 100 over 500

NEW SECTION

WAC 51-30-1121 Table No. 11-B.

**TABLE NO. 11-B
REQUIRED TYPE A DWELLING UNITS**

Total Number of Dwelling Units on Site	Required Number of Type A Dwelling Units
0 - 10	None
11 - 20	1
21 - 40	2
41 - 60	3
61 - 80	4
81 - 100	5
For every 20 units or fractional part thereof, over 100	1 additional

NEW SECTION

WAC 51-30-1122 Table No. 11-C.

PERMANENT

**TABLE NO. 11-C
NUMBER OF ACCESSIBLE ROOMS AND ROLL-IN SHOWERS**

Total Number Of Rooms ¹	Minimum Required Accessible Rooms ¹	Rooms With Roll-In Showers
1 - 25	1	None
26 - 50	2	None
51 - 75	3	1
76 - 100	4	1
101 - 150	5	2
151 - 200	6	2
201 - 300	7	3
301 - 400	8	4
401 - 500	9	4 plus 1 for every 100 rooms or fraction thereof, over 400
501 - 1000	2% of total rooms 20 plus 1 for every 100 rooms or fraction thereof, over 1000	
Over 1000		

¹ For congregate residences the numbers in these columns shall apply to beds rather than rooms.

PERMANENT

NEW SECTION

WAC 51-30-1123 Table No. 11-D.

**TABLE NO. 11-D
NUMBER OF ACCESSIBLE ROOMS FOR PERSONS
WITH HEARING IMPAIRMENTS**

Total Number Of Rooms	Minimum Required Rooms
1 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201 - 300	7
301 - 400	8
401 - 500	9
501 - 1000	2% of total rooms
Over 1000	20 plus 1 for every 100 rooms, or fraction thereof, over 1000

PERMANENT

NEW SECTION

WAC 51-30-1124 Table No. 11-E.

**TABLE NO. 11-E
REQUIRED CHECK-OUT AISLES**

Total Check-out Aisles Units on Site	Minimum Number of Accessible Check-out Aisles
1 - 4	1
5 - 8	2
9 - 15	3
Over 15	3 plus 20% of additional aisles

NEW SECTION

WAC 51-30-1125 Table No. 11-F.

**TABLE NO. 11-F
NUMBER OF ACCESSIBLE PARKING SPACES**

Total Parking Spaces in Lot or Garage	Minimum Required Number of Accessible Spaces
1 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201 - 300	7
301 - 400	8
401 - 500	9
501 - 1000	2% of total spaces
Over 1000	20 spaces plus 1 space for every 100 spaces, or fraction thereof, over 1000

PERMANENT

NEW SECTION

WAC 51-30-1200 Chapter 12—Interior environment.

NEW SECTION

WAC 51-30-1203 Section 1203—Light and ventilation in Group R Occupancies.

1203.1 General. For the purpose of determining the light or ventilation for Group R Occupancies required by this section, any room may be considered as a portion of an adjoining room when one half of the area of the common wall is open and unobstructed and provides an opening of not less than one tenth of the floor area of the interior room or 25 square feet (2.3 m²), whichever is greater.

Exterior openings for natural light or ventilation required by this section shall open directly onto a public way or a yard or court as set forth in Section 1203.4.

- EXCEPTIONS:**
1. Required exterior openings may be open into a roofed porch where the porch:
 - 1.1 Abuts a public way, yard or court; and
 - 1.2 Has a ceiling height of not less than 7 feet (2134 mm); and
 - 1.3 Has a longer side at least 65 percent open and unobstructed.
 2. Skylights.

1203.2 Light. Guest rooms and habitable rooms within a dwelling unit or congregate residence shall be provided with natural light by means of exterior glazed openings with an

area not less than one tenth of the floor area of such rooms with a minimum of 10 square feet (0.93 m²).

EXCEPTION: Kitchens in Group R Occupancies may be provided with artificial light.

1203.3 Ventilation. Guest rooms and habitable rooms within a dwelling unit or congregate residence shall be provided with natural ventilation by means of openable exterior openings with an area of not less than one twentieth of the floor area of such rooms with a minimum of 5 square feet (0.46 m²).

In lieu of required exterior openings for natural ventilation, a mechanical ventilating system may be provided. Such system shall be capable of providing two air changes per hour in guest rooms, dormitories, habitable rooms and in public corridors with a minimum of 15 cubic feet per minute (7 L/s) of outside air per occupant during such time as the building is occupied.

Bathrooms, water closet compartments, laundry rooms and similar rooms shall be provided with natural ventilation by means of openable exterior openings with an area not less than one twentieth of the floor area of such rooms with a minimum of 1 1/2 square feet (0.14 m²).

In lieu of required exterior openings for natural ventilation in bathrooms containing a bathtub or shower or combination thereof, laundry rooms, and similar rooms, a mechanical ventilation system connected directly to the outside capable of providing five air changes per hour shall be

provided. The point of discharge shall be at least 3 feet (914 mm) from any opening which allows air entry into occupied portions of the building. Bathrooms which contain only a water closet or lavatory or combination thereof, and similar rooms may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

1203.4 Yards or Courts.

1203.4.1 General. This section shall apply to yards and courts adjacent to exterior openings that provide required natural light or ventilation. Such yards and courts shall be on the same property as the building.

1203.4.2 Yards. Yards shall not be less than 3 feet (914 mm) in width for one-story and two-story buildings. For buildings more than two stories in height, the minimum width of the yard shall be increased at the rate of 1 foot (305 mm) for each additional story. For buildings exceeding 14 stories in height, the required width of the yard shall be computed on the basis of 14 stories.

1203.4.3 Courts. Courts shall not be less than 3 feet (914 mm) in width. Courts having windows opening on opposite sides shall not be less than 6 feet (1829 mm) in width. Courts bounded on three or more sides by the walls of the building shall not be less than 10 feet (3048 mm) in length unless bounded on one end by a public way or yard. For buildings more than two stories in height, the court shall be increased 1 foot (305 mm) in width and 2 feet (610 mm) in length for each additional story. For buildings exceeding 14 stories in height, the required dimensions shall be computed on the basis of 14 stories.

Adequate access shall be provided to the bottom of all courts for cleaning purposes. Every court more than two stories in height shall be provided with a horizontal air intake at the bottom not less than 10 square feet (0.93 m²) in area and leading to the exterior of the building unless abutting a yard or public way. The construction of the air intake shall be as required for the court walls of the building, but in no case shall be less than one-hour fire resistive.

NEW SECTION

WAC 51-30-1600 Chapter 16—Structural forces.

NEW SECTION

WAC 51-30-1614 Section 1614—Definitions.

The following definitions apply only to this part:

BASIC WIND SPEED is the fastest-mile wind speed associated with an annual probability of 0.02 measured at a point 33 feet (10 000 mm) above the ground for an area having exposure category C.

EXPOSURE B has terrain with buildings, forest or surface irregularities, covering at least 20 percent of the ground level area extending 1 mile (1.61 km) or more from the site.

EXPOSURE C has terrain which is flat and generally open, extending one-half mile (0.81 km) or more from the site in any full quadrant.

EXPOSURE D represents the most severe exposure in areas with basic wind speeds greater than 80 miles per hour (mph) (129 km/h) and has terrain which is flat and unobstructed facing large bodies of water over one mile (1.61 km) or more in width relative to any quadrant of the building site. Exposure D extends inland from the shoreline 1/4 mile (0.40 km) or 10 times the building height, whichever is greater.

FASTEST-MILE WIND SPEED is the wind speed obtained from wind velocity maps prepared by the National Oceanographic and Atmospheric Administration and is the highest sustained average wind speed based on the time required for a mile-long sample of air to pass a fixed point.

OPENINGS are apertures or holes in the exterior wall boundary of the structure. All windows or doors or other openings shall be considered as openings unless such openings and their frames are specifically detailed and designed to resist the loads on elements and components in accordance with the provisions of this section.

PARTIALLY ENCLOSED STRUCTURE OR STORY is a structure or story which has more than 15 percent of any windward projected area open and in which the area of opening on all other projected areas is less than half of that on the windward projection.

SPECIAL WIND REGION is an area where local records and terrain features indicate 50-year fastest-mile basic wind speed is higher than shown in Figure 16-1.

UNENCLOSED STRUCTURE OR STORY is a structure which has 85 percent or more openings on all sides.

NEW SECTION

WAC 51-30-1700 Chapter 17—Structural test and inspections.

NEW SECTION

WAC 51-30-1702 Section 1702—Structural observation.

Structural observation shall be provided in Seismic Zone 3 or 4 when one of the following conditions exists:

1. The structure is defined in Table 16-K as Occupancy Category I, II or III, or
2. The structure is required to comply with Section 403, or
3. When so designated by the architect or engineer of record, or
4. When such observation is specifically required by the building official for unusual lateral force-resisting structures or irregular structures as defined in Section 1627.

The owner shall employ the engineer or architect responsible for the structural design, or another engineer or architect designated by the engineer or architect responsible for the structural design, to perform structural observations as defined in Section 220. Observed deficiencies shall be reported in writing to the owner's representative, special inspector, contractor and the building official. The structural

observer shall submit to the building official a written statement that the site visits have been made and identifying any reported deficiencies which, to the best of the structural observer's knowledge, have not been resolved.

NEW SECTION

WAC 51-30-1900 Chapter 19—Concrete.

NEW SECTION

WAC 51-30-1909 Section 1909—Strength and serviceability requirements.

1909.0 Notations.

- A_g = gross area of section, square inches (mm^2).
- A'_s = area of compression reinforcement, square inches (mm^2).
- b = width of compression face of member, inches (mm).
- D = dead loads, or related internal moments and forces.
- d = distance from extreme compression fiber to centroid of tension reinforcement, inches (mm).
- d' = distance from extreme compression fiber to centroid of compression reinforcement, inches (mm).
- d_s = distance from extreme tension fiber to centroid of tension reinforcement, inches (mm).
- E = load effects of earthquake, or related internal moments and forces.
- E_c = modulus of elasticity of concrete, pounds per square inch (MPa). See Section 1908.1.
- F = loads due to weight and pressures of fluids with well-defined densities and controllable maximum heights, or related internal moments and forces.
- f'_c = specified compressive strength of concrete, pounds per square inch (MPa).
- $\sqrt{f'_c}$ = square root of specified compressive strength of concrete, pounds per square inch (MPa).
- f_{ct} = average splitting tensile strength of lightweight aggregate concrete, pounds per square inch (MPa).
- f_r = modulus of rupture of concrete, pounds per square inch (MPa).
- f_y = specified yield strength of nonprestressed reinforcement, pounds per square inch (MPa).
- H = loads due to weight and pressure of soil, water in soil, or other materials, or related internal moments and forces.
- h = overall thickness of member, inches (mm).
- I_{cr} = moment of inertia of cracked section transformed to concrete.
- I_e = effective moment of inertia for computation of deflection.
- I_g = moment of inertia of gross concrete section about centroidal axis, neglecting reinforcement.
- L = live loads, or related internal moments and forces.
- l = span length of beam or one-way slab, as defined in Section 1908.7; clear projection of cantilever, inches (mm).
- l_n = length of clear span in long direction of two-way construction, measured face to face of supports in slabs without beams and face to face of beams or other supports in other cases.
- M_u = maximum moment in member at stage deflection is computed.
- M_{cr} = cracking moment. See Formula (9-8).

- P_b = nominal axial load strength at balanced strain conditions. See Section 1910.3.2.
 P_n = nominal axial load strength at given eccentricity.
 T = cumulative effects of temperature, creep, shrinkage and differential settlement.
 U = required strength to resist factored loads or related internal moments and forces.
 W = wind load, or related internal moments and forces.
 w_c = weight of concrete, pounds per cubic foot (kg/m^3).
 y_t = distance from centroidal axis of gross section, neglecting reinforcement, to extreme fiber in tension.
 α = ratio of flexural stiffness of beam section to flexural stiffness of a width of slab bounded laterally by center line of adjacent panel (if any) on each side of beam. See Section 1913.
 α_m = average value of α for all beams on edges of a panel.
 β = ratio of clear spans in long-to-short direction of two-way slabs.
 ξ = time-dependent factor for sustained load. See Section 1909.5.2.5.
 λ = multiplier for additional long-time deflection as defined in Section 1909.5.2.5.
 ρ' = reinforcement ratio for nonprestressed compression reinforcement, A'_g/bd .
 ϕ = strength-reduction factor. See Section 1909.3.

1909.1 General.

1909.1.1 Structures and structural members shall be designed to have design strengths at all sections at least equal to the required strengths calculated for the factored loads and forces in such combinations as are stipulated in this code.

1909.1.2 Members also shall meet all other requirements of this code to ensure adequate performance at service load levels.

1909.2 Required Strength.

1909.2.1 Required strength U to resist dead load D and live load L shall be at least equal to

$$U = 1.4D + 1.7L \quad (9-1)$$

1909.2.2 If resistance to structural effects of a specified wind load W are included in design, the following combinations of D , L and W shall be investigated to determine the greatest required strength U

$$U = 0.75 (1.4D + 1.7L + 1.7W) \quad (9-2)$$

where load combinations shall include both full value and zero value of L to determine the more severe condition, and

$$U = 0.9D + 1.3W \quad (9-3)$$

but for any combination of D , L and W , required strength U shall not be less than Formula (9-1).

1909.2.3 If resistance to specified earthquake loads or forces E are included in design, load combinations of Section 1909.2.2 shall apply, except that $1.1E$ shall be substituted for W . Load factors contained in Section 1921 and 1926 shall be used where applicable.

1909.2.4 If resistance to earth pressure H is included in design, required strength U shall be at least equal to

$$U = 1.4D + 1.7L + 1.7H \quad (9-4)$$

except that where D or L reduces the effect of H , $0.9D$ shall be substituted for $1.4D$ and zero value of L shall be used to determine the greatest required strength U . For any combination of D , L and H , required strength U shall not be less than Formula (9-1).

1909.2.5 If resistance to loadings due to weight and pressure of fluids with well-defined densities and controllable maximum heights F is included in design, such loading shall have a load factor of 1.4 and be added to all loading combinations that include live load.

1909.2.6 If resistance to impact effects is taken into account in design, such effects shall be included with live load L .

1909.2.7 Where structural effects T of differential settlement, creep, shrinkage or temperature change may be significant in design, required strength U shall be at least equal to

$$U = 0.75 (1.4D + 1.4T + 1.7L) \quad (9-5)$$

but required strength U shall not be less than

$$U = 1.4 (D + T) \quad (9-6)$$

Estimations of differential settlement, creep, shrinkage or temperature change shall be based on a realistic assessment of such effects occurring in service.

1909.3 Design Strength.

1909.3.1 Design strength provided by a member, its connection to other members and its cross sections, in terms of flexure, axial load, shear and tension, shall be taken as the

nominal strength calculated in accordance with requirements and assumptions of this code, multiplied by a strength-reduction factor ϕ .

1909.3.2 Strength-reduction factor ϕ shall be as follows:

1909.3.2.1 Flexure, without axial load 0.90

1909.3.2.2 Axial load and axial load with flexure. (For axial load with flexure, both axial load and moment nominal strength shall be multiplied by appropriate single value of ϕ .)

Axial tension and axial tension with flexure . . . 0.90

Axial compression and axial compression with flexure:

Members with spiral reinforcement conforming to Section 1910.9.3 0.75

Other reinforced members 0.70

except that for low values of axial compression, ϕ may be increased in accordance with the following:

For members in which f_y does not exceed 60,000 psi (413.7 MPa), with symmetric reinforcement, and with $(h - d' - d_s)/h$ not less than 0.70, ϕ may be increased linearly to 0.90 as ϕPn decreases from $0.10 f'_c A_g$ to zero.

For other reinforcing members, ϕ may be increased linearly to 0.90 as ϕPn decreases from $0.10 f'_c A_g$ or ϕP_b , whichever is smaller, to zero.

1909.3.2.3 Shear and torsion (See also Section 1909.3.4 for shear walls and frames in Seismic Zones 3 and 4) . . 0.85

1909.3.2.4 Bearing on concrete (See also Section 1918.13) 0.70

1909.3.3 Development lengths specified in Section 1912 do not require a ϕ factor.

1909.3.4 In *Seismic Zones 3 and 4*, strength-reduction factors shall be as given above except for the following:

1909.3.4.1 The shear strength-reduction factor shall be 0.6 for the design of walls, topping slabs used as diaphragms over precast concrete members and structural framing members, with the exception of joints, if their nominal shear strength is less than the shear corresponding to development of their nominal flexural strength. The shear strength-reduction factor for joints shall be 0.85.

1909.4 Design Strength for Reinforcement. Designs shall not be based on a yield strength of reinforcement f_y in excess of 80,000 psi (551.6 MPa), except for prestressing tendons.

1909.5 Control of Deflections.

1901.5.1 Reinforced concrete members subject to flexure shall be designed to have adequate stiffness to limit deflections or any deformations that affect strength or serviceability of a structure adversely.

1909.5.2 One-way construction (nonprestressed).

1909.5.2.1 Minimum thickness stipulated in Table 19-C-1 shall apply for one-way construction not supporting or attached to partitions or other construction likely to be damaged by large deflections, unless computation of deflection indicates a lesser thickness may be used without adverse effects.

1909.5.2.2 Where deflections are to be computed, deflections that occur immediately on application of load shall be computed by usual methods or formulas for elastic deflections, considering effects of cracking and reinforcement on member stiffness.

1909.5.2.3 Unless stiffness values are obtained by a more comprehensive analysis, immediate deflection shall be computed with the modulus of elasticity E_c for concrete as specified in Section 1908.5.1 (normal-weight or lightweight concrete) and with the effective moment of inertia as follows, but not greater than I_g .

$$I_e = \left(\frac{M_{cr}}{M_a} \right)^3 I_g + \left[1 - \left(\frac{M_{cr}}{M_a} \right)^3 \right] I_{cr} \tag{9-7}$$

WHERE:

$$M_{cr} = \frac{f_r I_g}{y_t} \tag{9-8}$$

and for normal-weight concrete

$$f_r = 7.5 \sqrt{f'_c} \tag{9-9}$$

For SI:

$$f_r = 0.62 \sqrt{f'_c}$$

When lightweight aggregate concrete is used, one of the following modifications shall apply:

1. When f_{ct} is specified and concrete is proportioned in accordance with Section 1905.2, f_r shall be modified by substituting $f_{ct}/6.7$ (For SI: $1.8\sqrt{f'_c}$) for $\sqrt{f'_c}$, but the value of $f_{ct}/6.7$ (For SI: $1.8\sqrt{f'_c}$) shall not exceed $\sqrt{f'_c}$.
2. When f_{ct} is not specified, f_r shall be multiplied by 0.75 for "all-lightweight" concrete, and 0.85 for "sand-lightweight" concrete. Linear interpolation may be used when partial sand replacement is used.

1909.5.2.4 For continuous members, effective moment of inertia may be taken as the average of values obtained from Formula (9-7) for the critical positive and negative moment sections. For prismatic members, effective moment of inertia may be taken as the value obtained from Formula (9-7) at midspan for simple and continuous spans, and at support for cantilevers.

1909.5.2.5 Unless values are obtained by a more comprehensive analysis, additional longtime deflection resulting from creep and shrinkage of flexural members (normal-weight or lightweight concrete) shall be determined by multiplying the immediate deflection caused by the sustained load considered, by the factor

$$\lambda = \frac{\xi}{1 + 50p'} \tag{9-10}$$

where p' shall be the value at midspan for simple and continuous spans, and at support for cantilevers. It is permitted to assume the time-dependent factor for sustained loads to be equal to

Five years or more	2.0
12 months	1.4
Six months	1.2
Three months	1.0

1909.5.2.6 Deflection computed in accordance with this section shall not exceed limits stipulated in Table 19-I.

1909.5.3 Two-way construction (nonprestressed).

1909.5.3.1 This section shall govern the minimum thickness of slabs or other two-way construction designed in accor-

PERMANENT

dance with the provisions of Section 1913 and conforming with the requirements of Section 1913.6.1.2. The thickness of slabs without interior beams spanning between the supports on all sides shall satisfy the requirements of Section 1909.5.3.2 or 1909.5.3.4. Thickness of slabs with beams spanning between the supports on all sides shall satisfy the requirements of Section 1909.5.3.3 or 1909.5.3.4.

1909.5.3.2 For slabs without interior beams spanning between the supports and having a ratio of long to short span not greater than 2, the minimum thickness shall be in accordance with the provisions of Table 19-C-2 and shall not be less than the following values:

1. Slabs without drop panels as defined in Sections 1913.4.7.1 and 1913.4.7.2 . . . 5 inches (127 mm)
2. Slabs with drop panels as defined in Sections 1913.4.7.1 and 1913.4.7.2 . . . 4 inches (102 mm)

1909.5.3.3 For slabs with beams spanning between the supports on all sides, the minimum thickness shall be as follows:

1. For α_m equal to or less than 0.2, the provisions of Section 1909.5.3.2 shall apply.
2. For α_m greater than 0.2 but not greater than 2.0, the thickness shall not be less than

$$h = \frac{I_n \left(0.8 + \frac{f_y}{200,000} \right)}{36 + 5\beta(\alpha_m - 0.2)} \quad (9-11)$$

For SI:
$$h = \frac{I_n \left(0.8 + \frac{f_y}{1370} \right)}{36 + 5\beta(\alpha_m - 0.2)}$$

but not less than 5 inches (127 mm).

3. For α_m greater than 2.0, the thickness shall not be less than

$$h = \frac{I_n \left(0.8 + \frac{f_y}{200,000} \right)}{36 + 9\beta} \quad (9-12)$$

For SI:
$$h = \frac{I_n \left(0.8 + \frac{f_y}{1370} \right)}{36 + 9\beta}$$

but not less than 3.5 inches (89 mm).

4. At discontinuous edges, an edge beam shall be provided with a stiffness ratio α not less than 0.80; or the minimum thickness required by Formula (9-11) or (9-12) shall be increased by at least 10 percent in the panel with a discontinuous edge.

1909.5.3.4 Slab thickness less than the minimum thickness required by Section 1909.5.3.1, 1909.5.3.2 and 1909.5.3.3 may be used if shown by computation that the deflection will not exceed the limits stipulated in Table 19-C-1. Deflections shall be computed taking into account size and shape of the panel, conditions of support, and nature of restraints at the panel edges. The modulus of elasticity of concrete E_c shall be as specified in Section 1908.5.1. The

effective moment of inertia shall be that given by Formula (9-7); other values may be used if they result in computed deflections in reasonable agreement with the results of comprehensive tests. Additional long-term deflection shall be computed in accordance with Section 1909.5.2.5.

1909.5.4 Prestressed concrete construction.

1909.5.4.1 For flexural members designed in accordance with provisions of Section 1918, immediate deflection shall be computed by usual methods or formulas for elastic deflections, and the moment of inertia of the gross concrete section may be used for uncracked sections.

1909.5.4.2 Additional long-time deflection of prestressed concrete members shall be computed taking into account stresses in concrete and steel under sustained load and including effects of creep and shrinkage of concrete and relaxation of steel.

Deflection computed in accordance with this section shall not exceed limits stipulated in Table 19-I.

1909.5.5 Composite construction.

1909.5.5.1 Shored Construction. If composite flexural members are supported during construction so that, after removal of temporary supports, dead load is resisted by the full composite section, the composite member may be considered equivalent to a monolithically cast member for computation of deflection. For nonprestressed members, the portion of the member in compression shall determine whether values in Table 19-C-1 for normal-weight or lightweight concrete shall apply. If deflection is computed, account should be taken of curvatures resulting from differential shrinkage of precast and cast-in-place components, and of axial creep effects in a prestressed concrete member.

1909.5.5.2 Unshored construction. If the thickness of a nonprestressed precast flexural member meets the requirements of Table 19-C-1, deflection need not be computed. If the thickness of a nonprestressed composite member meets the requirements of Table 19-D, deflection occurring after the member becomes composite need not be computed, but the long-time deflection of the precast member should be investigated for magnitude and duration of load prior to beginning of effective composite action.

1909.5.5.3 Deflection computed in accordance with this section shall not exceed limits stipulated in Table 19-I.

NEW SECTION

WAC 51-30-2200 Chapter 22—Steel.

NEW SECTION

WAC 51-30-2211 Section 2211—Steel structures resisting forces induced by earthquake motions in seismic zones 3 and 4.

2211.1 General. Design and construction of steel framing in lateral-force-resisting systems in Seismic Zones 3 and 4 shall conform to the requirements of the code and to the requirements of this section.

2211.2 Definitions.

PERMANENT

ALLOWABLE STRESSES are prescribed in Divisions V and IX.

CHEVRON BRACING is that form of bracing where a pair of braces located either above or below a beam terminates at a single point within the clear beam span.

CONNECTION is the group of elements that connect the member to the joint.

DIAGONAL BRACING is that form of bracing that diagonally connect joints at different levels.

ECCENTRICALLY BRACED FRAME (EBF) is a diagonal braced frame in which at least one end of each bracing member connects to a beam a short distance from a beam-to-column connection or from another beam-to-brace connection.

GIRDER is the horizontal member in a seismic frame. The words beam and girder may be used interchangeably.

JOINT is the entire assemblage at the intersections of the members.

K BRACING is that form of bracing where a pair of braces located on one side of a column terminates at a single point within the clear column height.

LINK BEAM is that part of a beam in an eccentrically braced frame which is designed to yield in shear and/or bending so that buckling of the bracing members is prevented.

STRENGTH is the strength as prescribed in Section 2211.4.2.

V BRACING is that form of chevron bracing that intersects a beam from above and inverted V bracing is that form of chevron bracing that intersects a beam from below.

X BRACING is that form of bracing where a pair of diagonal braces cross near midlength of the bracing members.

2211.3 Symbols and Notations. The symbols and notations unique to this section are as follows:

- M_s = flexural strength.
- P_{DL} = axial dead load.
- P_E = axial load on member due to earthquake.
- P_{LL} = axial live load.
- P_{sc} = compressive axial strength of member.
- P_{st} = tensile axial strength of member.
- V_s = shear strength of member.
- Z = plastic section modulus.

2211.4 Materials.

2211.4.1 Quality. Structural steel used in lateral-force-resisting systems shall conform to A 36, A 500, A 501, A 572 (Grades 42 and 50) and A 588. Structural steel conforming to A 283 (Grade D) may be used for base plates and anchor bolts.

EXCEPTION: Other steels permitted in this code may be used for the following:
 1. One-story buildings.

2. Light-framed wall systems in accordance with Section 2211.10.

2211.4.2 Member Strength. Where this section requires that the strength of the member be developed, the following shall be used:

	Strength
Flexure	$M_s = ZF_y$
Shear	$V_s = 0.55 F_y d_t$
Axial compression	$P_{sc} = 1.7 F_u A$
Axial tension	$P_{st} = F_y A$
Connectors	
Full-penetration welds	$F_y A$
Partial penetration welds	1.7 allowable
Bolts and fillet welds	1.7 allowable

Members need not be compact unless otherwise required by this section.

2211.5 Column Requirements.

2211.5.1 Column strength. Columns shall satisfy the load combinations required by Section 603.6 at allowable stress limits, with stress increases allowed by Section 1603.5. In addition, in Seismic Zones 3 and 4, columns in frames shall have the strength to resist the axial loads resulting from the load combinations in Items 1 and 2 following.

1. **Axial compression**

$$1.0 P_{DL} + 0.7 P_{LL} + 3(R_w/8)P_E$$

2. **Axial tension**

$$0.85 P_{DL} \pm 3(R_w/8)P_E$$

EXCEPTION: The axial load combination as outlined in Items 1 and 2 above:

1. Need not exceed either the maximum force that can be transferred to the column, by elements of the structure, or the limit as determined by the overturning uplift which the foundation is capable of resisting.
2. Need not apply to columns in moment-resisting frames complying with Formula (11-3.1) or (11-3.2) where f_a is equal to or less than $0.3 F_y$ for all load combinations.

The load combinations from Items 1 and 2 need be used only when specifically referred to.

2211.5.2 Column splices. Column splices shall have sufficient strength to develop the column forces determined from Section 2211.5.1. Welded column splices subject to net tensile forces shall comply with the more critical of the following:

1. Partial penetration welds shall be designed to resist 150 percent of the force determined from Section 2211.5.1, Item 2.

2. Welding shall develop not less than 50 percent of the flange area strength of the smaller column.

Splices employing partial penetration welds shall be located at least three feet (914 mm) from girder flanges.

PERMANENT

2211.5.3 Slenderness evaluation. This paragraph is applicable when the provisions are applied to the effective length determination of columns of moment frames resisting earthquake forces. In the plane of the earthquake forces the factor K may be taken as unity when all of the following conditions are met:

1. The column is either continuous or is fixed at each joint.
2. The maximum axial compressive stress, f_a , does not exceed $0.4 F_y$ under design loads.
3. The calculated story drift ratios are less than the values given in Section 1628.8.

2211.6 Ordinary Moment Frame Requirements. Ordinary moment frames (OMF) shall be designed to resist the load combinations in Section 1603.6.

All beam-to-column connections in OMFs which resist earthquake forces shall meet one of the following requirements:

1. Fully restrained (Type F.R. or Type 1) conforming with Section 2211.7.1.
2. Fully restrained (Type F.R. or Type 1) connections with the design strengths of the connections capable of resisting a combination of gravity loads and $3(R_w/8)$ times the design seismic forces.
3. Partially restrained (Type P.R. or Type 3) connections are permitted provided:

3.1 The connections are designed to resist the load combinations in Section 1603.6, and

3.2 The connections have been demonstrated by cyclic tests to have adequate rotation capacity to accommodate a story drift due to $3(R_w/8)$ times the design seismic forces.

3.3 The moment frame drift calculations shall include the contribution due to the rotation and distortion of the connection.

See Divisions VIII and IX for definitions of fully restrained and partially restrained connections.

2211.7 Special Moment-resisting Frame (SMRF) Requirements.

2211.7.1 Girder-to-column connection.

2211.7.1.1 Required strength. The girder-to-column connection shall be adequate to develop the lesser of the following:

1. The strength of the girder in flexure.
2. The moment corresponding to development of the panel zone shear strength as determined from Formula (11-1).

EXCEPTION: Where a connection is not designed to contribute flexural resistance at the joint, it need not develop the required strength if it can be shown to meet the deformation compatibility requirements of Section 1631.2.4.

2211.7.1.3 Connection strength. Connection configurations utilizing welds or high-strength bolts shall demonstrate, by approved cyclic test results or calculation, the ability to sustain inelastic rotation and develop the strength criteria in

Section 2211.7.1.1 considering the effect of steel overstrength and strain hardening.

2211.7.1.3 Flange detail limitations. For steel whose specified ultimate strength is less than 1.5 times the specified yield strength, plastic hinges shall not form at locations in which the beam flange area has been reduced, such as for bolt holes. Bolted connections of flange plates of beam-column joints shall have the net-to-gross area ratio A_e/A_g equal to or greater than $1.2 F_y/F_u$.

2211.7.2 Panel zone.

2211.7.2.1 Strength. The panel zone of the joint shall be capable of resisting the shear induced by beam bending moments due to gravity loads plus 1.85 times the prescribed seismic forces, but the shear strength need not exceed that required to develop $0.8 \sum M_s$ of the girders framing into the column flanges at the joint. The joint panel zone shear strength may be obtained from the following formula:

$$V = 0.55 F_y d_c t \left[1 + \frac{3b_f t_f^2}{d_b d_c t} \right] \quad (11-1)$$

WHERE:

- b_f = the width of the column flange.
- d_b = the depth of the beam.
- d_c = the column depth.
- t = the total thickness of the joint panel zone including doubler plates.
- t_f = the thickness of the column flange.

2211.7.2.2 Thickness. The panel zone thickness, t_z , shall conform to the following formula:

$$t_z \geq (d_z + w_z)/90 \quad (11-2)$$

WHERE:

- d_z = the panel zone depth between continuity plates.
- w_z = the panel zone width between column flanges.

For this purpose, t_z shall not include any double plate thickness unless the doubler plate is connected to the column web with plug welds adequate to prevent local buckling of the plate.

2211.7.2.3 Doubler plates. Doubler plates provided to reduce panel zone shear stress or to reduce the web depth thickness ratio shall be placed not more than 1/16 inch (1.6 mm) from the column web and shall be welded across the plate width top and bottom with at least a 3/16-inch (4.7 mm) fillet weld. They shall be either butt or fillet welded to the column flanges to develop the shear strength of the doubler plate. Weld strength shall be as given in Section 2211.4.2.

2211.7.3 Width-thickness ratio. Girders shall comply with Division IX, except that the flange width-thickness ratio, $b_f/2t_f$ shall not exceed $52/\sqrt{F_y}$ (For SI: $0.31 \sqrt{E/F_y}$). The width-thickness ratio of the column sections shall meet the requirements of Division IX, Section 2251N7. The outside wall width-thickness ratio of rectangular tubes used for columns shall not exceed $110/\sqrt{F_y}$ (For SI: $0.65 \sqrt{E/F_y}$), unless otherwise stiffened.

2211.7.4 Continuity plates. When determining the need for girder tension flange continuity plates, the value of P_{bf} in Division IX shall be taken as $1.8 (b_f) F_{yb}$.

2211.7.5 Strength ratio. At any moment frame joint, the following relationships shall be satisfied:

or
$$\sum Z_i (F_{px} - f_a) / \sum Z_i F_{pi} > 1.0 \quad (11-3.1)$$

WHERE:
$$\sum Z_i (F_{px} - f_a) / 1.25 \sum M_{pc} > 1.0 \quad (11-3.2)$$

$f_a > 0$
 M_{pc} = the sum of beam moments when panel zone shear strength reaches the value specified in Formula (11-1).

EXCEPTION: Columns meeting the compactness limitations for beams given in Section 2211.7.3 need not comply with this requirement provided they conform to one of the following conditions:

1. Columns with f_a less than $0.4 F_y$ for all load combinations other than loads specified in Section 2211.5.1, and
 - 1.1 Which are used in the top story of a multistory building with building period greater than 0.7 second; or
 - 1.2 Where the sum of their resistance is less than 20 percent of the shear in a story, and is less than 33 percent of the shear on each of the column lines within that story. A column line is defined for the purpose of this exception as a single line of columns, or parallel lines of columns located within 10 percent of the plan dimension perpendicular to the line of columns; or
 - 1.3 When the design for combined axial compression and bending is proportioned to satisfy Division IX without the one-third permissible stress increase.
2. Columns in any story which have lateral shear strength 50 percent greater than that of the story above.
3. Columns which lateral shear strengths are not included in the design to resist code-required shears.

2211.7.6 Trusses in SMRF. Trusses may be used as horizontal members in SMRF if the sum of the truss seismic force flexural strength exceeds the sum of the column seismic force flexural strength immediately above and below the truss by a factor of at least 1.25. For this determination the strengths of the members shall be reduced by the gravity load effects. In buildings of more than one story, the column axial stress shall not exceed $0.4 F_y$ and the ratio of the unbraced column height to the least radius of gyration shall not exceed 60. Columns shall have allowable stresses reduced 25 percent when one end frames into a truss, and 50 percent when both ends frame into trusses. The connection of the truss chords to the column shall develop the lesser of the following:

1. The strength of the truss chord.
2. The chord force necessary to develop 125 percent of the flexural strength of the column.

2211.7.7 Girder-column joint restraint.

2211.7.7.1 Restrained joint. Where it can be shown that the columns of SMRF remain elastic, the flanges of the columns need to be laterally supported only at the level of the girder top flange.

Columns may be assumed to remain elastic if one of the following conditions is satisfied:

1. The ratio in Formula (11-3.1) or (11-3.2) is greater than 1.25.
2. The flexural strength of the column is at least 1.25 times the moment that corresponds to the panel zone shear strength.
3. Girder flexural strength or panel zone strength will limit column stress ($f_a + f_{bx} + f_{by}$) to F_y of the column.

4. The column will remain elastic under gravity loads plus $3(R_w/8)$ times the prescribed seismic forces.

Where the column cannot be shown to remain elastic, the column flanges shall be laterally supported at the levels of the girder top and bottom flanges. The column flange lateral support shall be capable of resisting a force equal to one percent of the girder flange capacity at allowable stresses and at a limiting displacement perpendicular to the frame of 0.2 inch (5.1 mm). Required bracing members may brace the column flanges directly or indirectly through the column web or the girder flanges.

2211.7.7.2 Unrestrained joint. Columns without lateral support transverse to a joint shall conform to the requirements of Division IX, with the column considered as pin ended and the length taken as the distance between lateral supports conforming with Section 2211.7.7.1 above. The column stress, f_a , shall be determined from gravity loads plus the lesser of the following:

1. $3(R_w/8)$ times the prescribed seismic forces.
2. The forces corresponding to either 125 percent of the girder flexural strength or the panel zone shear strength.

The stress, f_{by} , shall include the effects of the bracing force specified in Section 2211.7.7.1 and $P\Delta$ effects.

l/r for such columns shall not exceed 60.

At truss frames the column shall be braced at each truss chord for a lateral force equal to one percent of the compression yield strength of the chord.

2211.7.8 Beam bracing. Both flanges of beams shall be braced directly or indirectly. The beam bracing between column center lines shall not exceed $96 r_y$. In addition, braces shall be placed at concentrated loads where a hinge may form.

2211.7.9 Changes in beam flange area. Abrupt changes in beam flange area are not permitted within possible plastic hinge regions of special moment-resistant frames.

2211.7.10 Moment frame drift calculations. Moment frame drift calculations shall include bending and shear contributions from the clear girder and column spans, column axial deformation and the rotation and distortion of the panel zone.

EXCEPTIONS: 1. Drift calculations may be based on column and girder center lines where either of the following conditions is met:

- 1.1 It can be demonstrated that the drift so computed for frames of similar configuration is typically within 15 percent of that determined above.
- 1.2 The column panel zone strength can develop $0.8 \sum M_s$ of girders framing to the column flanges at the joint.
2. Column axial deformations may be neglected if they contribute less than 10 percent to the total drift.

2211.8 Requirements for Braced Frames.

2211.8.1 General. The provisions of this section apply to all braced frames except special concentrically braced frames designed in accordance with Section 2211.9 or eccentrically braced frames (EBF) designed in accordance with Section 2211.10. Those members which resist seismic forces totally

PERMANENT

or partially by shear or flexure shall be designed in accordance with Section 2211.7 except Section 2211.7.3.

2211.8.2 Bracing members.

2211.8.2.1 Slenderness. In Seismic Zones 3 and 4, the l/r ratio for bracing members shall not exceed $720/\sqrt{F_y}$ (For SI: $4.23\sqrt{E/F_y}$), except as permitted in Sections 2211.8.5 and 2211.8.6.

2211.8.2.2 Stress reduction. The allowable stress, F_{as} , for bracing members resisting seismic forces in compression shall be determined from the following formula:

WHERE: $F_{as} = BF_s$ (11-4)

B = the stress-reduction factor determined from the following formula:
 $B = 1/[1 + [(kl/r)/2C_1]]$ (11-5)

F_s = the allowable axial compressive stress allowed in Division IX.

EXCEPTION: Bracing members carrying gravity loads may be designed using the column strength requirement and load combinations of Section 2211.5.1, Item 1.

2211.8.2.3 Lateral-force distribution. The seismic lateral force along any line of bracing shall be distributed to the various members so that neither the sum of the horizontal components of the forces in members acting in tension nor the sum of the horizontal components of forces in members acting in compression exceed 70 percent of the total force.

EXCEPTION: Where compression bracing acting alone has the strength, neglecting the strength-reduction factor B , to resist $3(R_w/8)$ times the prescribed seismic force such distribution is not required.

A line of bracing is defined, for the purpose of this provision, as a single line or parallel lines within 10 percent of the dimension of the structure perpendicular to the line of bracing.

2211.8.2.4 Built-up members. The l/r of individual parts of built-up bracing members between stitches, when computed about a line perpendicular to the axis through the parts, shall not be greater than 75 percent of the l/r of the member as a whole.

2211.8.2.5 Compression elements in braces. The width-thickness ratio of stiffened and unstiffened compression elements used in braces shall be as shown in Division IX.

2211.8.3 Bracing connection.

2211.8.3.1 Forces. Bracing connections shall have the strength to resist the least of the following:

1. The strength of the bracing in axial tension, P_{st} .
2. $3(R_w/8)$ times the force in the brace due to the prescribed seismic forces, in combination with gravity loads.
3. The maximum force that can be transferred to the brace by the system.

Bracing connections shall, as a minimum, satisfy the load combinations required by Section 1603.6 at allowable stress limits, with stress increases allowed by Section 1603.5. These combinations shall include the provisions for Section 2211.8.2.2 and 2211.8.4.1.

Beam-to-column connections for beams that are part of the bracing system shall have the capacity to transfer the force determined above. Where eccentricities in the frame geometry or connection load path exist, the affected members and connections shall have the strength to resist all secondary forces resulting from the eccentricities in combination with all primary forces using the lesser of the forces determined above.

2211.8.3.2 Net area. In bolted brace connections, the ratio of effective net section area to gross section area shall satisfy the formula:

$\frac{A_e}{A_g} \geq \frac{1.2\alpha F_s^*}{F_u}$ (11-6)

WHERE:

- A_e = effective net area as defined in Division IX.
- F_u = minimum tensile strength.
- F_s^* = stress in brace as determined in Section 2211.8.3.1.
- α = fraction of the member force from Section 2211.8.3.1 that is transferred across a particular net section.

2211.8.4 Bracing configuration.

2211.8.4.1 Chevron bracing. Chevron bracing shall conform with the following:

1. Bracing members shall be designed for 1.5 times the otherwise prescribed seismic forces, in addition to the requirements of Section 2211.8.2.2.
2. The beam intersected by chevron braces shall be continuous between columns.
3. Where chevron braces intersect a beam from below, i.e., inverted V brace, the beam shall be capable of supporting all tributary gravity loads presuming the bracing not to exist.

EXCEPTION: This limitation need not apply to penthouses, one-story buildings or the top story of buildings.

2211.8.4.2 K bracing. K bracing is prohibited except as permitted in Section 2211.8.5.

2211.8.4.3 Nonconcentric bracing. Nonconcentric bracing shall conform with the following:

1. Any member intersected by the brace shall be continuous through the connection.
2. When the eccentricity of the brace is greater than the depth of the intersected member at the eccentric location, the affected member shall have the strength to resist the forces prescribed in Section 2211.8.3.1, including the effects of all secondary forces resulting from the eccentricities.

2211.8.5 One- and two-story buildings. Braced frames not meeting the requirements of Sections 2211.8.2 and 2211.8.4 may be used in buildings not over two stories in height and in roof structures as defined in Chapter 15 if the braces have the strength to resist $3(R_w/8)$ times the code equivalent static forces.

2211.8.6 Nonbuilding structures. Nonbuilding structures with R_w values defined by Table 16-P need comply only with the provisions of Section 2211.8.3.

2211.9 Requirements for Special Concentrically Braced Frames.

PERMANENT

2211.9.1 General. The provisions of this section apply to special concentrically braced frame structures as defined in Section 1625. All members and connections in special braced frames shall be designed and detailed to resist shear and flexure caused by eccentricities in the geometry of the members comprising the frame in accordance with Section 2211.9. Any member intersected by a brace shall be continuous through the connection. Horizontal bracing that transfers forces between horizontally offset bracing in the vertical plane shall be subject to the requirements of Section 2211.9, except Sections 2211.9.2.3; 2211.9.4.1, Item 3; and 2211.9.4.2. Horizontal bracing other than the above is not subjected to the requirements of Section 2211.9.

2211.9.2 Bracing members.

2211.9.2.1 Slenderness. The kl/r ratio for bracing members shall not exceed $1,000/\sqrt{F_y}$ (For SI: $5.87\sqrt{E/F_y}$), except as permitted in Section 2211.9.6.

2211.9.2.2 Lateral-force distribution. The seismic lateral force along any line of bracing shall be distributed to the various members so that neither the sum of the horizontal components of forces in members acting in compression or tension exceed 70 percent of the total force.

EXCEPTION: Where compression bracing acting alone has the strength to resist $3(R_w/8)$ times the prescribed seismic force, such distribution is not required.

A line of bracing is defined, for the purposes of this provision, as a single line or parallel lines within 10 percent of the dimension of the structure perpendicular to the line of bracing.

2211.9.2.3 Built-up members. The spacing of stitches shall be such that the slenderness ratio (l/r) of individual elements between the stitches does not exceed 0.4 times the governing slenderness ratio of the built-up member. The total shear strength of the stitches shall be at least equal to the tensile strength of each element. The spacing of the stitches shall be uniform and not less than two stitches shall be used. Bolted stitches shall not be located within the middle one fourth of the clear brace length.

EXCEPTION: Where it can be shown that braces can buckle without causing shear in the stitches, the spacing of the stitches shall be such that the slenderness ratio (l/r) of the individual element between the stitches does not exceed 0.75 times the governing slenderness ratio of the built-up member.

2211.9.2.4 Compression elements in braces. The width-thickness ratio of compression elements used in braces shall meet the requirements of Division IX, Table B5.1, for compact sections. The width-thickness ratio of angle section shall be limited to $52/\sqrt{F_y}$ (For SI: $0.31\sqrt{E/F_y}$). Circular sections shall have outside diameter-wall thickness ratio not exceeding $1,300/F_y$ (For SI: $7.63 E/F_y$), rectangular tubes shall have outside wall width-thickness ratio not exceeding $110/\sqrt{F_y}$ (For SI: $0.65\sqrt{E/F_y}$).

EXCEPTION: Compression elements stiffened to resist local buckling.

2211.9.3 Bracing connections.

2211.9.3.1 Forces. Bracing connections shall have the strength to resist the lesser of the following:

1. The strength of the brace in axial tension, P_{st} ,

2. $3(R_w/8)$ times the force in the brace due to the prescribed seismic forces, in combination with gravity loads.

3. The maximum force that can be transferred to the brace by the system.

Bracing connection shall, as a minimum, satisfy the load combinations required by Section 1603.6 at allowable stress limits with stress increases allowed by Section 1603.5. Beam-to-column connections for beams that are part of the bracing system shall have the capacity to transfer the force determined above. Where eccentricities in the frame geometry or connection load path exist, the affected members and connections shall have the strength to resist all secondary forces resulting from the eccentricities in combination with all primary forces using the lesser of the forces determined above.

2211.9.3.2 Net area. In bolted brace connections, the ratio of effective net section area to gross section shall satisfy Formula (11-6) of Section 2211.8.3.2.

2211.9.3.3 Gusset plates. End connections of braces shall provide a flexural strength in excess of that of the brace gross section about the critical buckling axis.

EXCEPTION: Where the out-of-plane buckling strength of the brace is less than the in-plane buckling strength and the brace terminates on a single gusset plate connection with a setback of two times the gusset thickness from a line about which the gusset plate may bend unrestrained by the column or beam joints, and the gusset plate shall be designed to carry the compressive strength of the brace without buckling.

2211.9.4 Bracing configuration.

2211.9.4.1 Chevron bracing. Chevron bracing shall conform with the following:

1. The beam intersected by chevron braces shall be continuous between columns.

2. Where chevron braces intersect a beam from below, i.e., inverted V brace, the beam shall be capable of supporting all tributary gravity loads presuming the bracing not to exist.

3. A beam intersected by chevron braces shall have the strength to support the following tributary gravity loads and unbalanced brace force combinations:

$$\frac{1.2D + 0.5L + P_b}{0.9D - P_b}$$

WHERE:

D = tributary dead load.

L = tributary live load.

P_b = the maximum unbalanced post-buckling force that can be applied to the beam by the braces. For this purpose, the maximum unbalanced force may be computed using a minimum of P_{st} for the tension and a maximum of $0.3 P_{sc}$ for the compression brace.

4. Both flanges of beams at the point of intersection of chevron braces shall be laterally supported directly or indirectly.

EXCEPTION: Limitations 2 and 3 need not apply to penthouses, one-story buildings or the top story of buildings.

2211.9.4.2 K bracing. K bracing is prohibited.

2211.9.5 Columns. Columns in braced frames shall meet the requirements of Section 2211.7.3. In addition to meeting the requirements of Sections 2211.5.1 and 2211.5.2, column splices shall be designed to develop the full shear strength

and 50 percent of the full moment strength of the section. Splices shall be located in the middle one third of the column clear height.

2211.9.6 Nonbuilding structures. Nonbuilding structures with R_w values defined by Table 16-P need comply only with the provisions of Sections 2211.9.3.1 and 2211.9.3.2.

2211.10 Eccentrically Braced Frame (EBF) Requirements.

2211.10.1 General. Eccentrically braced frames shall be designed in accordance with this section.

2211.10.2 Link beam. There shall be a link beam provided at least at one end of each brace. Beams in EBFs shall comply with the requirements of Division IX, except that the flange width-thickness ratio $b_f/2t_p$ shall not exceed $52/\sqrt{F_y}$.

2211.10.3 Link beam strength. Link beam shear strength, V_s , and flexural strength, M_s , are the strengths as defined in Section 2211.4.2. Where link beam strength is governed by shear, the flexural and axial capacities within the link shall be calculated using the beam flanges only.

A reduced flexural strength, M_{rs} , for use in Sections 2211.10.8 and 2211.10.13 is defined as $Z(F_y - f_a)$. Where f_a is less than $0.15F_y$, f_a may be neglected.

2211.10.4 Link beam rotation. The rotation of the link segment relative to the rest of the beam, at a total frame drift of $3(R_w/8)$ times the drift determined for prescribed seismic forces, shall not exceed the following:

1. 0.060 radians for link segments having clear lengths of $1.6 M_s/V_s$ or less.
2. 0.015 radians for link segments having clear lengths of $3.0 M_s/V_s$ or greater.
3. A value obtained by linear interpolation for clear lengths between the above limits.

2211.10.5 Link beam web. The web of the link beam shall be single thickness without doubler plate reinforcement. No openings shall be placed in the web of a link beam. The web shear shall not exceed $0.8V_s$ under prescribed lateral forces.

2211.10.6 Beam connection braces. Brace-to-beam connections shall develop the compression strength of the brace and transfer this force to the beam web. No part of the brace-to-beam connection shall extend into the web area of a link beam.

2211.10.7 Link beam stiffeners. Link beams shall have full-depth web stiffeners on both sides of the beam web at the brace end of the link beam. In addition, for link beams with clear lengths within the limits in Section 2211.10.4, Item 3, full-depth stiffeners shall be placed at a distance b_f from each end of the link. The stiffeners shall have a combined width not less than $b - 2t_w$ and a thickness not less than $0.75 t_w$ or less than 3/8 inch (9.5 mm).

2211.10.8 Intermediate stiffeners. Intermediate full-depth web stiffeners shall be provided in either of the following conditions:

1. Where the link beam strength is controlled by V_s .

2. Where the link beam strength is controlled by flexure and the shear determined by applying the reduced flexural strength, M_{rs} , exceeds $0.45 F_y d t$.

2211.10.9 Web stiffener spacing. Where intermediate web stiffeners are required, the spacing shall conform to the requirements given below.

1. For link beams with rotation angle of 0.06 radians, the spacing shall not exceed $38t_w - d/5$.
2. For link beams with a rotation angle of 0.03 radians or less, the spacing shall not exceed $56t_w - d/5$. Interpolation may be used for rotation angles between 0.03 and 0.06 radians.

2211.10.10 Web stiffener location. For beams 24 inches (610 mm) in depth and greater, intermediate full-depth web stiffeners are required on both sides of the web. Such web stiffeners are required only on one side of the beam web for beams less than 24 inches (610 mm) in depth. The stiffener thickness, t_w , of one side stiffeners shall not be less than 3/8 inch (9.5 mm) and the width shall not be less than $(b_f/2) - t_w$.

2211.10.11 Stiffener welds. Fillet welds connecting the stiffener to the beam web shall develop a stiffener force of $A_{st}F_y$. Fillet welds connecting the stiffener to the flanges shall develop a stiffener force of $A_{st}F_y/4$.

$$A_{st} = bt \text{ of stiffener.}$$

$$b = \text{width of stiffener plate.}$$

2211.10.12 Link beam-column connections. Length of link beam connected to columns shall not exceed $1.6 M_s/V_s$.

1. Where a link beam is connected to the column flange, the following requirements shall be met:

1.1 The beam flanges shall have full-penetration welds to the column.

1.2 Where the link beam strength is controlled by shear in conformance with Section 2211.10.8, the web connection shall be welded to develop the full link beam web shear strength.

2. Where the link beam is connected to the column web, the beam flanges shall have full-penetration welds to the connection plates and the web connection shall be welded to develop the link beam web shear strength. Rotation between the link beam and the column shall not exceed 0.015 radians at $3(R_w/8)$ times the drift due to the prescribed seismic forces.

2211.10.13 Brace and beam strengths. The controlling link beam strength is either the shear strength, V_s , or the reduced flexural strength, M_{rs} , whichever results in the lesser axial force in the brace.

Each brace and beam outside the link shall have axial strength at least 1.5 times the force corresponding to the controlling link beam strength. Each brace and beam outside the link shall have combined reduced flexural strength, M_{rs} , at least 1.0 times the force corresponding to the controlling link beam strength.

2211.10.14 Column strength. Columns shall be designed to remain elastic at 1.25 times the strength of the EBF bay, as defined in Section 2211.10.13 above. Column strength need not exceed the requirements of Section 2211.5.

2211.10.15 Roof link beam. A link beam is not required in roof beams for EBF over five stories.

2211.10.16 Concentric brace in combination. The first story of an EBF bay over five stories in height may be concentrically braced if this story can be shown to have an elastic capacity 50 percent greater than the yield capacity of the story frames above the first story.

2211.10.17 Axial forces. Axial forces in beams of EBF frames due to braces and due to transfer of seismic force to the end of the frames shall be included in the frame calculations.

2211.10.18 Beam flanges. Top and bottom flanges of EBF beams shall be laterally braced at the ends of link beams and at intervals not exceeding $76/\sqrt{F_y}$ (For SI: $0.45\sqrt{E/F_y}$) times the beam flange width. End bracing shall be designed to resist 6.0 percent of the beam flange strength, defined as $F_y b_f t_f$. Intermediate bracing shall be designed to resist 1.0 percent of the beam flange force at the brace point using the link beam strength determined in Section 2211.10.13.

2211.10.19 Beam-column connection. Beam connections to columns may be designed as pins in the plane of the beam web if the link beam is not adjacent to the column. Such connection shall have the capacity to resist a torsional moment of $0.01 F_y b_f t_f d$.

2211.11 Stud Wall Systems. Stud wall systems may be used to resist the specified seismic forces in buildings not over five stories in height. Such systems shall comply with the following:

1. The l/r of the brace may exceed 200 and is unlimited.
2. All boundary members, chords and collectors shall be designed and detailed to transmit the induced axial forces.
3. Connection of the diagonal bracing member, top chord splices, boundary members and collectors shall be designed to develop the full tensile strength of the member or $3(R_w/8)$ times the otherwise prescribed seismic forces.
4. Vertical and diagonal members of the braced bay shall be anchored so the bottom track is not required to resist uplift forces by bending of the track web.
5. Both flanges of studs in a bracing panel shall be braced to prevent lateral torsional buckling. Wire tied bridging shall not be considered to provide such restraint.
6. Screws shall not be used to resist lateral forces by pullout resistance.
7. Provision shall be made for pretensioning or other methods of installation of tension-only bracing to guard against loose diagonal straps.

NEW SECTION

WAC 51-30-2400 Chapter 24—Glass and glazing.

NEW SECTION

WAC 51-30-2406 Section 2406—Safety glazing.

2406.1 General. Glazing subject to human impact shall comply with this section.

2406.2 Identification. Each light of safety glazing material installed in hazardous locations as defined in Section 2406.4 shall be identified by a permanent label which specifies the labeler, whether the manufacturer or installer, and state that safety glazing material has been utilized in such installation. For additional identification requirements and for limitations on size and use by category classification, see U.B.C. Standard 24-2, Part I.

Each unit of tempered glass shall be permanently identified by the manufacturer. The identification shall be etched or ceramic fired on the glass and be visible when the unit is glazed. Tempered spandrel glass is exempted from permanent labeling but such glass shall be identified by the manufacturer with a removable paper label.

2406.3 Human Impact Loads. Individual glazed areas in hazardous locations such as those indicated in Section 2406.4, including glazing used in fire assemblies in accordance with Section 713, shall pass the test requirements of Part I of U.B.C. Standard 24-2.

EXCEPTIONS:

1. Louvered windows and jalousies complying with Section 2405 need not comply with Section 2406.3.
2. Polished wire glass complying with Part II of U.B.C. Standard 24-2 may be used in fire-rated assemblies and in locations specified in Items 6 and 7 of Section 2406.4.

Plastic glazing used in exterior applications also shall comply with the weathering requirements in Part II of U.B.C. Standard 24-2.

2406.4 Hazardous Locations. The following shall be considered specific hazardous locations for the purpose of glazing:

1. Glazing in ingress and egress doors except jalousies.
2. Glazing in fixed and sliding panels of sliding door assemblies and panels in swinging doors other than wardrobe doors.
3. Glazing in storm doors.
4. Glazing in all unframed swinging doors.
5. Glazing in doors and enclosures for hot tubs, whirlpools, saunas, steam rooms, bathtubs and showers. Glazing in any portion of a building wall enclosing these compartments where the bottom exposed edge of the glazing is less than 60 inches (1525 mm) above a standing surface and drain inlet.
6. Glazing in fixed or operable panels adjacent to a door where the nearest exposed edge of the glazing is within a 24-inch (610 mm) arc of either vertical edge of the door in a closed position and where the bottom edge of the glazing is less than 60 inches (1525 mm) above the walking surface.

7. Glazing in an individual fixed or operable panel, other than those locations described in Items 5 and 6 above, that meets all of the following conditions:

7.1 Exposed area of an individual pane greater than 9 square feet (0.84 m²).

7.2 Exposed bottom edge less than 18 inches (457 mm) above the floor.

7.3 Exposed top edge greater than 36 inches (914 mm) above the floor.

7.4 One or more walking surfaces within 36 inches (914 mm) horizontally of the plane of the glazing.

8. Glazing in railings regardless of height above a walking surface. Included are structural baluster panels and nonstructural in-fill panels.

EXCEPTION: The following products and applications are exempt from the requirements for hazardous locations as listed in Items 1 through 8 above:

1. Glazing in Item 6 when there is an intervening wall or other permanent barrier between the door and the glazing.
2. Glazing in Item 7 when a protective bar is installed on the accessible sides of the glazing 34 inches (864 mm) to 38 inches (965 mm) above the floor. The bar shall be capable of withstanding a horizontal load of 50 pounds per linear foot (729 N/m) without contacting the glass and be a minimum of 1½ inches (38.1 mm) in height.
3. Outboard pane in insulating glass units and in other multiple glazed panels in Item 7 when the bottom exposed edge of the glass is 25 feet (7620 mm) or more above any grade, roof, walking surface or other horizontal or sloped (within 45 degrees of horizontal) surface adjacent to the glass exterior.
4. Openings in doors through which a 3-inch-diameter (76.2 mm) sphere will not pass.
5. Assemblies of leaded, faceted or carved glass in Items 1, 2, 6 and 7 when used for decorative purposes.
6. Curved panels in revolving door assemblies.
7. Door in commercial refrigerated cabinets.
8. Glass block panels complying with Section 2110.

9. Glazing in walls and fences used as the barrier for indoor and outdoor swimming pools and spas when all of the conditions are present:

9.1 The bottom edge of the glazing is less than 60 inches (1525 mm) above the pool side of the glazing.

9.2 The glazing is within 5 feet (1525 mm) of a swimming pool or spa deck area.

10. Glazing in walls at stairway landings within the width of the stair and within 5 feet (1525 mm) beyond the bottom and top of flights of stairs, where the bottom edge of the glazing is less than 60 inches (1525 mm) above a walking surface.

2406.5 Wardrobe Doors. Glazing in wardrobe doors shall meet the impact test requirements for safety glazing as set forth in U.B.C. Standard 24-2, Part II. Laminated glass must also meet the boil test requirements of U.B.C. Standard 24-2, part II.

EXCEPTION: The impact test shall be modified so that if no breakage occurs when the impacting object is dropped from the height of 18 inches (457 mm), the test shall progress in height increments of 6 inches (152 mm) until the maximum of 48 inches (1219 mm) is reached.

2406.6 Glass Railings. Glass used as structural balustrade panels in railings shall be one of the following types:

1. Single fully tempered glass.
2. Laminated fully tempered glass.
3. Laminated heat-strengthened glass.

The panels and their support system shall be designed to withstand the load specified in Table 16-B. A safety factor of 4 shall be used.

Each handrail or guardrail section shall be supported by a minimum of three glass balusters or otherwise supported so that it remains in place should one baluster panel fail.

Glass balusters shall not be installed without a handrail or guardrail attached.

For all glazing types the minimum nominal thickness shall be 1/4 inch (6.35 mm).

Glazing materials shall not be installed in railings in parking garages except for those locations where the railing is not exposed to impact from vehicles.

NEW SECTION

WAC 51-30-2900 Chapter 29—Plumbing systems.

NEW SECTION

WAC 51-30-2902 Section 2902—Number of fixtures.

2902.1 General. The number of plumbing fixtures within a building shall not be less than set forth in Section 2902 and Table 29-A.

2902.2 Group A Occupancies. In Group A Occupancies at least one drinking fountain shall be provided at each floor level in an approved location.

EXCEPTION: A drinking fountain need not be provided in a drinking or dining establishment.

For other requirements on plumbing fixtures, see Sections 807, 2903, 2904, and Table 29-A.

2902.3 Group B, F, H, M and S Occupancies. In Groups B, F, H, M, and S Occupancies, buildings or portions thereof where persons are employed shall be provided with at least one water closet. Separate facilities shall be provided for each sex when the number of employees exceeds four. Such toilet facilities shall be located in such building or conveniently in a building adjacent thereto on the same property.

Such water closet rooms in connection with food establishments where food is prepared, stored or served shall have a nonabsorbent interior finish as specified in Section 807.1, shall have hand washing facilities therein or adjacent thereto, and shall be separated from food preparation or storage rooms as specified in Section 302.6.

For other requirements on plumbing fixtures, see Sections 807, 2903, 2904 and Table 29-A.

2902.4 Group E Occupancies. The number of plumbing fixtures within a building shall not be less than set forth in Table 29-A.

For other requirements on plumbing fixtures, see Sections 807, 2903 and 2904.

2902.5 Group I Occupancies. The number of plumbing fixtures within a building shall not be less than set forth in Table 29-A.

For other requirements on plumbing fixtures, see Sections 807, 2903 and 2904.

2902.6 Group R Occupancies. The number of plumbing fixtures within a building shall not be less than set forth in Table 29-A.

Dwelling units shall be provided with a kitchen equipped with a kitchen sink.

Each sink, lavatory and either a bathtub or shower shall be equipped with hot and cold running water necessary for its normal operation.

For other requirements on plumbing fixtures, see Section 807, 2903 and 2904.

NEW SECTION

WAC 51-30-2903 Section 2903—Accessibility.

For accessibility requirements for all plumbing fixtures see Chapter 11.

NEW SECTION

WAC 51-30-2904 Section 2904—Plumbing fixtures.

2904.1 Water closet space requirements. The water closet stool in all occupancies shall be located in a clear space not less than 30 inches (762 mm) in width. The clear space in front of the water closet stool shall not be less than 24 inches (610 mm).

2904.2 Drinking Fountains. Drinking fountains shall not be installed in toilet rooms.

2904.3 Finishes. See Section 807 for wall and floor finishes.

NEW SECTION

WAC 51-30-2910 Table 29-A—Minimum plumbing fixtures.

TABLE 29-A -- MINIMUM PLUMBING FIXTURES 1,2,3,4,6

TYPE OF BUILDING OR OCCUPANCY	WATER CLOSETS ³ (fixtures per person)		LAVATORIES ³ (fixtures per person)		BATHTUB OR SHOWER (fixtures per person)
	MALE	FEMALE	MALE	FEMALE	
For the occupancies listed below, use 30 square feet (2.79 m ²) per occupant for the minimum number of plumbing fixtures.					
Group A Conference rooms, dining rooms, drinking establishments, exhibit rooms, gymnasiums, lounges, stages and similar uses including restaurants classified as Group B Occupancies	1:1-25 2:26-75 3:76-125 4:126-200 5:201-300 6:301-400 Over 400, add one fixture for each additional 200 males or 150 females.	1:1-25 2:26-75 3:76-125 4:126-200 5:201-300 6:301-400	one per 2 water closets		
For the assembly occupancies listed below, use the number of fixed seating or, where no fixed seating is provided, use 15 square feet (1.39 m ²) per occupant for the minimum number of plumbing fixtures.					
Assembly places -- Theaters, auditoriums, convention halls, dance floors, lodge rooms, and casinos	1:1-100 2:101-200 3:201-400 Over 400 males, add one fixture for each additional 500, and over 400 females add one for each 50.	One per 25 up to 400	1:1-200 2:201-400 3:401-750 Over 750, add one fixture for each additional 500 persons.	1:1-200 2:201-400 3:401-750	

TABLE 29-A -- MINIMUM PLUMBING FIXTURES 1,2,3,4,6 (continued)

TYPE OF BUILDING OR OCCUPANCY	WATER CLOSETS ³ (fixtures per person)		LAVATORIES ³ (fixtures per person)		BATHTUB OR SHOWER (fixtures per person)
	MALE	FEMALE	MALE	FEMALE	
For the assembly occupancies listed below, use the number of fixed seating or, where no fixed seating is provided, use 15 square feet (1.39 m ²) per occupant for the minimum number of plumbing fixtures.					
Group A Assembly places -- Stadiums, arena and sporting facilities	1:1-100 2:101-200 3:201-400 Over 400 males, add one fixture for each additional 500, and over 400 females add one for each 100.	One per 50 up to 400	1:1-200 2:201-400 3:401-750 Over 750, add one fixture for each additional 500 persons.	1:1-200 2:201-400 3:401-750	
For the assembly occupancies listed below, use the number of fixed seating or, where no fixed seating is provided, use 30 square feet (2.79 m ²) per occupant for the minimum number of plumbing fixtures.					
Worship places Principal assembly area	one per 150	one per 75	one per 2 water closets		
Worship places Educational and activity unit	one per 125	one per 75	one per 2 water closets		
For the occupancies listed below, use 200 square feet (18.58 m ²) per occupant for the minimum number of plumbing fixtures					
Group B	1:1-15 2:16-35 3:36-55 Over 55, add one for each 75 persons.	1:1-15 2:16-35 3:36-55	one per 2 water closets		

PERMANENT

TABLE 29-A -- MINIMUM PLUMBING FIXTURES ^{1,2,3,4,6} (continued)

TYPE OF BUILDING OR OCCUPANCY	WATER CLOSETS ³ (fixtures per person)		LAVATORIES ⁵ (fixtures per person)		BATHTUB OR SHOWER (fixtures per person)
	MALE	FEMALE	MALE	FEMALE	
For the occupancies listed below, use 100 square feet (9.3 m ²) per student for the minimum number of plumbing fixtures.					
Group E	1:1-15	1:1-15	one per two water closets		
Schools -- for staff use	2:16-35	2:16-35			
All schools (One staff per 20 students)	3:36-55	3:36-55			
	Over 55, add one fixture for each additional 40 persons.				
Schools -- for student use	1:1-20	1:1-20	1:1-20	1:1-20	
Day care	2:21-50	2:21-50	2:21-50	2:21-50	
	Over 50, add one fixture for each additional 50 persons.		Over 50, add one fixture for each additional 50 persons.		
Elementary	one per 30	one per 25	one per two water closets		
Secondary	one per 40	one per 30	one per two water closets		
For the occupancies listed below, use 50 square feet (4.65 m ²) per occupant for the minimum number of plumbing fixtures.					
Education Facilities other than Group E					
Others (colleges, universities, adult centers, etc.)	one per 40	one per 25	one per two water closets		
For the occupancies listed below, use 2,000 square feet (185.8 m ²) per occupant for the minimum number of plumbing fixtures.					
Group F	1:1-10	1:1-10	one for each two water closets		
Workshop, foundries and similar establishments, and Group H Occupancies	2:11-25	2:11-25			one shower for each 15 persons exposed to excessive heat or to skin contamination with irritating materials
	3:26-50	3:26-50			
	4:51-75	4:51-75			
	5:76-100	5:76-100			
	Over 100, add one fixture for each additional 300 persons.				

PERMANENT

TABLE 29-A -- MINIMUM PLUMBING FIXTURES 1,2,3,4,6 (continued)

TYPE OF BUILDING OR OCCUPANCY	WATER CLOSETS ³ (fixtures per person)		LAVATORIES ⁵ (fixtures per person)		BATHTUB OR SHOWER (fixtures per person)
	MALE	FEMALE	MALE	FEMALE	
For the occupancies listed below, use the designated application and 200 square feet (18.58 m ²) per occupant of the general use area for the minimum number of plumbing fixtures.					
Group I ⁷ Hospital waiting rooms Hospital general use areas	one per room (usable by either sex) 1:1-15 1:1-15 2:16-35 3:16-35 3:36-55 4:36-55 Over 55, add one fixture for each additional 40 persons.		one per room one per each two water closets		
Hospital patient rooms:					
Single Bed	one adjacent to and directly accessible from		one per toilet room		one per toilet room
Isolation	one adjacent to and directly accessible from		one per toilet room		one per toilet room
Multi-Bed	one per four patients		one per four patients		one per eight patients
Long-term	one per four patients		one per four patients		one per 15 patients
Jails and reformatories					
Cell	one per cell		one per cell		
Exercise room	one per exercise room		one per exercise room		
Other institutions (on each occupied floor)	one per 25	one per 25	one per two water closets		one per eight
For the occupancies listed below, use 200 square feet (18.58 m ²) per occupant for the minimum number of plumbing fixtures.					
Group M Retail or wholesale stores	1:1-50 2:51-100 3:101-400	1:1-50 2:51-100 3:101-200 4:201-300 5:301-400	one for each two water closets		
	Over 400, add one fixture for each additional 500 males and one for each 150 females.				

PERMANENT

TABLE 29-A -- MINIMUM PLUMBING FIXTURES ^{1,2,3,4,6} (continued).

TYPE OF BUILDING OR OCCUPANCY	WATER CLOSETS ³ (fixtures per person)		LAVATORIES ⁵ (fixtures per person)		BATHTUB OR SHOWER (fixtures per person)
	MALE	FEMALE	MALE	FEMALE	
For Group R Occupancies, dwelling units and hotel guest rooms, use the chart. For congregate residences, use 200 square feet (18.58 m ²) for Group R, Division 1 Occupancies and 300 square feet (27.87 m ²) for Group R, Division 3 Occupancies for the minimum plumbing fixtures.					
Group R Dwelling units Hotel guest rooms	one per dwelling unit one per guest room		one per dwelling unit one per guest room		one per dwelling unit one per guest room
Congregate residences	one per 10 Over 10, add one fixture for each additional 25 males and over 8, add one for each additional 20 females.	one per 8 Over 8, add one fixture for each additional 25 females and over 4, add one for each additional 20 females.	one per 12 over 12, add one fixture for each additional 20 males and one for each additional 15 females.	one per 12 over 12, add one fixture for each additional 20 males and one for each additional 15 females.	one per eight For females, add one additional unit per each additional 30. Over 150, add one additional unit per each additional 20 females.
For the occupancies listed below, use 5,000 square feet (464.5 m ²) per occupant for the minimum number of plumbing fixtures.					
Group S Warehouses	1:1-10 2:11-25 3:26-50 4:51-75 5:76-100 Over 100, add one for each 300 males and females.	1:1-10 2:11-25 3:26-50 4:51-75 5:76-100 Over 100, add one for each 300 males and females.	One per 40 occupants of each sex.		one shower for each 15 persons exposed to excessive heat or to skin contamination with poisonous, infectious or irritating materials.

¹The figures shown are based on one fixture being the minimum required for the number of persons indicated or any fraction thereof.
²Any category not mentioned specifically or about which there are any questions shall be classified by the building official and included in the category which it most nearly resembles, based on the expected use of the plumbing facilities.
³Where urinals are provided, one water closet less than the number specified may be provided for each urinal installed, except the number of water closets in such cases shall not be reduced to less than one half of the minimum specified. For men's facilities serving 26 or more persons, not less than one urinal shall be provided.
⁴Occupant loads over 30 shall have one drinking fountain for each 150 occupants.
⁵Twenty-four inches (610 mm) of wash sink or 18 inches (457 mm) of a circular basin, when provided with water outlets for such space, shall be considered equivalent to one lavatory.
⁶When the design occupant load is less than 10 persons, a facility usable by either sex may be approved by the building official.
⁷See WAC 246-318-690 for definitions, other fixtures and equipment for hospitals.

NEW SECTION

WAC 51-30-3400 Chapter 34—Existing structures.

NEW SECTION

WAC 51-30-3404 Section 3404—Moved buildings.

Buildings or structures moved into or within a jurisdiction shall comply with the provisions of this code, the Uniform Mechanical Code (WAC 51-32), the Uniform Fire Code and Standards (WAC 51-34 and 51-35), the Uniform Plumbing Code and Standards (WAC 51-26 and 51-27), the Washington State Energy Code (WAC 51-11) and the Washington State Ventilation and Indoor Air Quality Code (WAC 51-13) for new buildings or structures.

EXCEPTION: Group R, Division 3 buildings or structures are not required to comply if:

1. The original occupancy classification is not changed, and
2. The original building is not substantially remodeled or rehabilitated. For the purposes of this section a building shall be considered to be substantially remodeled when the costs of remodeling exceed 60 percent of the value of the building exclusive of the costs relating to preparation, construction, demolition or renovation of foundations.

THIS APPENDIX IS FOR REFERENCE ONLY. IT IS NOT THE RESPONSIBILITY OF THE BUILDING OFFICIAL TO ENFORCE IT.
APPENDIX CHAPTER 11
DIVISION I
US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FEDERAL FAIR HOUSING ACT
GUIDELINES FOR SITE TERRAIN EXEMPTIONS

NEW SECTION

WAC 51-30-93115 Section 93115.

Section 93115.1 Purpose. The purpose of this division is to provide the United States Department of Housing and Urban Development Federal Fair Housing Act Guidelines for Site Terrain Exemptions.

93115.2 Scope.

93115.2.1 General. The provisions of this division may apply to all buildings and dwelling units that are regulated by the Federal Fair Housing Act Amendments of 1988.

93115.2.2 Applicability of Other Provisions. Except as specifically allowed by this division for determining site terrain exemptions, Group R, Division 1 apartment houses shall meet all applicable provisions of this code.

PERMANENT

93115.3 Definitions. For the purpose of this division, certain terms are defined as follows:

COVERED MULTIFAMILY DWELLINGS means buildings consisting of four or more dwelling units if such buildings have one or more elevators; and ground floor dwelling units in other buildings consisting of four or more dwelling units. Dwelling units within a single structure separated by firewalls do not constitute separate buildings.

FINISHED GRADE means the ground surface of the site after all construction, leveling, grading, and development has been completed.

UNDISTURBED SITE means the site before any construction, leveling, grading, or development associated with the current project.

93115.4 Site Impracticality.

93115.4.1 General. Covered multifamily dwellings with elevators shall be designed and constructed to provide at least one accessible entrance on an accessible route, regardless of terrain or unusual characteristics of the site. Covered multifamily dwellings without elevators shall be designed and constructed to provide at least one accessible entrance on an accessible route unless terrain or unusual characteristics of the site are such that the following conditions are found to exist:

A. Site Impracticality Due to Terrain. There are two alternative tests for determining a site impracticality due to terrain: The individual building test provided in paragraph (1), or the site analysis test provided in paragraph (2). These tests may be used as follows.

A site with a single building having a common entrance for all units may be analyzed only as described in paragraph (1).

All other sites, including a site with a single building having multiple entrances serving either individual dwellings units or clusters of dwelling units, may be analyzed using the methodology in either paragraph (1) or paragraph (2). For these sites for which either test is applicable, regardless of which test is selected, at least 20% of the total ground floor units in nonelevator buildings, on any site, must comply with the guidelines.

1. Individual Building Test. It is impractical to provide an accessible entrance served by an accessible route when the terrain of the site is such that:

1.1. The slopes of the undisturbed site measured between the planned entrance and all vehicular or pedestrian arrival points within 50 feet (15 m) of the planned entrance exceed 10 percent.

1.2. The slopes of the planned finished grade measured between the entrance and all vehicular or pedestrian arrival points within 50 feet (15 m) of the planned entrance also exceed 10 percent.

If there are no vehicular or pedestrian arrival points within 50 feet (15 m) of the planned entrance, the slope for the purpose of this paragraph (1) will be measured to the closest vehicular or pedestrian arrival point.

For purposes of these guidelines, vehicular or pedestrian arrival points include public or resident parking areas; public transportation stops; passenger loading zones; and public streets or sidewalks. To determine site impracticality, (1) the slope would be measured at ground level from the point of the planned entrance, or (2) if there are no vehicular or pedestrian arrival points close to the planned entrance. In the case of sidewalks, the closest point to the entrance will be where a public sidewalk entering the site intersects with the sidewalk to the entrance. In the case of resident parking areas, the closest point to the planned entrance will be measured from the entry point to the parking area that is located closest to the planned entrance.

2. Site Analysis Test. Alternatively, for a site having multiple buildings, or a site with a single building with multiple entrances, impracticality of providing an accessible entrance served by an accessible route can be established by the following steps:

2.1. The percentage of the total buildable area of the undisturbed site with a natural grade less than 10% slope shall be calculated. The analysis of the existing slope (before grading) shall be done on a topographic survey with two foot (610 mm) contour intervals with slope determination made between each successive interval. The accuracy of the slope analysis shall be certified by a professional licensed engineer, landscape architect, architect, or surveyor.

2.2. To determine the practicality of providing accessibility to planned multifamily dwellings based on the topography of the existing natural terrain, the minimum percentage of ground floor units to be made accessible should equal the percentage of the total buildable area (not including floodplain, wetlands, or other restricted use areas) of the undisturbed site that has an existing natural grade of less than 10% slope.

2.3. In addition to the percentage established in paragraph 2.2, all ground floor units in a building, or ground floor units served by a particular entrance, shall be made accessible if the entrance to the units is on an accessible route, defined as a walkway with a slope between the planned entrance and a pedestrian or vehicular arrival point that is no greater than 8.33%.

B. Site Impracticality Due to Unusual Characteristics. Unusual characteristics include sites located in a federally-designated floodplain or coastal high-hazard area and sites subject to other similar requirements of law or code that the lowest structural member of the lowest floor must be raised to a specified level at or above the base flood elevation. An accessible route to a building entrance is impractical due to unusual characteristics of the site when:

1. The unusual site characteristics result in a difference in finished grade elevation exceeding 30 inches (760 mm) and 10 percent measured between an entrance and all vehicular or pedestrian arrival points within 50 feet (15 m) of the planned entrance; or

2. If there are no vehicular or pedestrian arrival points within 50 feet (15 m) of the planned entrance, the unusual characteristics result in a difference in finished grade elevation exceeding 30 inches (760 mm) and 10 percent

measured between an entrance and the closest vehicular or pedestrian arrival point.

93115.4.2 Exceptions to Site Impracticality. Regardless of site considerations described in Section 93115.4.1, an accessible entrance on an accessible route is practical when:

A. There is an elevator connecting the parking area with the dwelling units on a ground floor. (In this case, those dwelling units on the ground floor served by an elevator, and at least one of each type of public and common use areas, would be subject to these guidelines.) However:

1. Where a building elevator is provided only as a means of creating an accessible route to dwelling units on a ground floor, the building is not considered an elevator building for purposes of these guidelines; hence, only the ground floor dwelling units would be covered.

2. If the building elevator is provided as a means of access to dwelling units other than dwelling units on a ground floor, then the building is an elevator building which is a covered multifamily dwelling, and the elevator in that building must provide accessibility to all dwelling units in the building, regardless of the slope of the natural terrain; or

B. An elevated walkway is planned between a building entrance and a vehicular or pedestrian arrival point and the planned walkway has a slope no greater than 10 percent.

THIS APPENDIX IS FOR REFERENCE ONLY. IT IS NOT THE RESPONSIBILITY OF THE BUILDING OFFICIAL TO ENFORCE IT.

APPENDIX CHAPTER 11

DIVISION II

AMERICANS WITH DISABILITIES ACT GUIDELINES FOR READILY ACHIEVABLE BARRIER REMOVAL

NEW SECTION

WAC 51-30-93116 Section 93116.

Section 93116.1 Purpose. The purpose of this division is to provide the United States Department of Justice, Americans with Disabilities Act Guidelines for readily achievable barrier removal in existing buildings.

93116.2 Scope.

93116.2.1 General. The provisions of this division may be used as a guideline for the removal of readily achievable barriers to accessibility in existing buildings, as required by the Americans with Disabilities Act of 1990.

93116.2.2 Applicability of Other Provisions. Except as specifically allowed by this division, all buildings and portions thereof shall meet all applicable provisions of this code.

93116.3 Definitions. For the purpose of this division, certain terms are defined as follows:

COMMERCE is travel, trade, traffic, commerce, transportation, or communication—

1. Among the several States;
2. Between any foreign country or any territory or possession and any State; or

3. Between points in the same State but through another State or foreign country.

COMMERCIAL FACILITIES are facilities—

1. Whose operations will affect commerce;
2. That are intended for nonresidential use by a private entity; and
3. That are not—
 - 3.1. Facilities that are covered or expressly exempted from coverage under the Fair Housing Act of 1968, as amended (42 U.S.C. 3601-3631);
 - 3.2. Aircraft; or
 - 3.3. Railroad locomotives, railroad freight cars, railroad cabooses, commuter or intercity passenger rail cars (including coaches, dining cars, sleeping cars, lounge cars, and food service cars), any other railroad cars described in Section 242 of the American's with Disabilities Act or covered under title II of the American's with Disabilities Act, or railroad rights-of-way. For purposes of this definition, "rail" and "railroad" have the meaning given the term "railroad" in Section 202(e) of the Federal Railroad Safety Act of 1970 (46 U.S.C. 431(e)).

PLACE OF PUBLIC ACCOMMODATION is a facility, operated by a private entity, whose operations affect commerce and fall within at least one of the following categories—

1. An inn, hotel, motel, or other place of lodging, except for an establishment located within a building that contains not more than five rooms for rent or hire and that is actually occupied by the proprietor of the establishment as the residence of the proprietor;
2. A restaurant, bar, or other establishment serving food or drink;
3. A motion picture house, theater, concert hall, stadium, or other place of exhibition or entertainment;
4. An auditorium, convention center, lecture hall, or other place of public gathering;
5. A bakery, grocery store, clothing store, hardware store, shopping center, or other sales or rental establishment;
6. A laundromat, dry-cleaner, bank, barber shop, beauty shop, travel service, shoe repair service, funeral parlor, gas station, office of an accountant or lawyer, pharmacy, insurance office, professional office of a health care provider, hospital, or other service establishment;
7. A terminal, depot, or other station used for specified public transportation;
8. A museum, library, gallery, or other place of public display or collection;
9. A park, zoo, amusement park, or other place of recreation;
10. A nursery, elementary, secondary, undergraduate, or postgraduate private school, or other place of education;
11. A day care center, senior citizen center, homeless shelter, food bank, adoption agency, or other social service center establishment; and
12. A gymnasium, health spa, bowling alley, golf course, or other place of exercise or recreation.

PRIVATE ENTITY is a person or entity other than a public entity.

PUBLIC ACCOMMODATION is a private entity that owns, leases (or leases to), or operates a place of public accommodation.

PUBLIC ENTITY is—

1. Any State or local government;
2. Any department, agency, special purpose district, or other instrumentality of a State or States or local government; and
3. The National Railroad Passenger Corporation, and any commuter authority (as defined in Section 103(8) of the Rail Passenger Service Act).

READILY ACHIEVABLE is easily accomplishable and able to be carried out without much difficulty or expense. In determining whether an action is readily achievable, factors to be considered include—

1. The nature and cost of the action needed under this part;
2. The overall financial resources of the site or sites involved in the action; the number of persons employed at the site; the effect on expenses and resources, or the impact otherwise of the action upon the operation of the site;
3. The overall financial resources of any parent corporation or entity; the overall size of the parent corporation or entity with respect to the number of its employees; the number, type, and location of its facilities;
4. The type of operation or operations of the parent corporation or entity, including the composition, structure, and functions of the workforce of the parent corporation or entity; and
5. The geographic separateness, and the administrative or fiscal relationship of the site or sites in question to the parent corporation or entity.

93116.4 Removal of Barriers. A public accommodation shall remove architectural barriers in existing facilities, including communication barriers that are structural in nature, where such removal is readily achievable, i.e., easily accomplishable and able to be carried out without much difficulty or expense.

93116.5 Examples. Examples of steps to remove barriers include, but are not limited to, the following actions:

1. Installing ramps;
2. Making curb cuts in sidewalks and entrances;
3. Lowering shelves;
4. Rearranging tables, chairs, vending machines, display racks, and other furniture;
5. Lowering telephones;
6. Adding raised letter markings on elevator control buttons;
7. Installing flashing alarm lights;
8. Widening doors;
9. Installing offset hinges to widen doorways;
10. Eliminating a turnstile or providing an alternative accessible path;
11. Installing accessible door hardware;
12. Installing grab bars in toilet stalls;
13. Rearranging toilet partitions to increase maneuvering space;
14. Insulating lavatory pipes;

15. Installing a raised toilet seat;
16. Installing a full-length bathroom mirror;
17. Lowering the paper towel dispenser in a bathroom;
18. Creating a designated accessible parking space;
19. Installing an accessible paper cup dispenser at an existing inaccessible water fountain;
20. Removing high pile, low density carpeting; or
21. Modifying vehicle hand controls.

93116.6 Priorities. A public accommodation shall take measures to comply with the barrier removal requirements of this section in accordance with the following order of priorities:

1. First, a public accommodation shall take measures to provide access to a place of public accommodation from public sidewalks, parking, or public transportation. These measures include, for example, installing an entrance ramp, widening entrances, and providing accessible parking spaces.
2. Second, a public accommodation shall take measures to provide access to those areas of a place of public accommodation where goods and services are made available to the public. These measures include, for example, adjusting the layout of display racks, rearranging tables, widening doors, and installing ramps.
3. Third, a public accommodation shall take measures to provide access to restroom facilities in places of public accommodation where restroom facilities are used by the public on more than an incidental basis. These measures include, for example, removal of obstructing furniture or vending machines, widening of doors, installations of ramps, providing accessible signage, widening of toilet stalls, and installations of grab bars.
4. Fourth, a public accommodation shall take any other measures necessary to provide access to the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation.

93116.7 Relationship to Alterations Requirements of Chapter 11, Part III of this Code. Measures taken solely to comply with the barrier removal requirements of this section are not required to conform to the requirements for alterations in Chapter 11, Part III of this code. These measures include, for example, installing a ramp with a steeper slope or widening a doorway to a narrower width than that required by Chapter 11, Part III of this code. No measure shall be taken, however, that poses a significant risk to the health or safety of individuals with disabilities or others. Barrier removal is required to conform to the Americans with Disabilities Act requirements for existing buildings.

93116.8 Portable Ramps. Portable ramps should be used to comply with this division only when installation of a permanent ramp is not readily achievable. In order to avoid any significant risk to the health or safety of individuals with disabilities or others in using portable ramps, due consideration shall be given to safety features such as nonslip surfaces, railings, anchoring, and strength of materials.

93116.9 Interpretation of Readily Achievable.

93116.9.1 The rearrangement of temporary or movable structures, such as furniture, equipment, and display racks is

not readily achievable to the extent that it results in a significant loss of selling or serving space.

93116.10 Alternatives to Barrier Removal.

93116.10.1 General. Where a public accommodation can demonstrate that barrier removal is not readily achievable, a public accommodation shall not fail to make its goods and services, facilities, privileges, advantages, or accommodations available through alternative methods, if those methods are readily achievable.

93116.10.2 Examples. Examples of alternatives to barrier removal include, but are not limited to, the following actions:

1. Providing curb service or home delivery;
2. Retrieving merchandise from inaccessible shelves or racks;
3. Relocating activities to accessible locations;
4. Providing refueling service at inaccessible self-service gas stations.

93116.11 Personal Devices and Services. This section does not require a public accommodation to provide its customers, clients, or participants with personal devices, such as wheelchairs, or services of a personal nature including assistance in eating, toileting, or dressing.

93116.12 Multiscreen Cinemas. If it is not readily achievable to remove barriers to provide access by persons with mobility impairments to all of the theaters of a multiscreen cinema, the cinema shall establish a film rotation schedule that provides reasonable access for individuals who use wheelchairs to all films. Reasonable notice shall be provided to the public as to the location and time of accessible showings.

93116.13 Readily Achievable and Undue Burden: Factors to be Considered. In determining whether an action is readily achievable or would result in an undue burden, factors to be considered include:

1. The nature and cost of the action needed under this part;
2. The overall financial resources of the site or sites involved in the action; the number of persons employed at the site; the effect on expenses and resources, or the impact otherwise of the action upon the operation of the site;
3. The overall financial resources of any parent corporation or entity; the overall size of the parent corporation or entity with respects to the number of its employees; the number, type, and location of its facilities;
4. The type of operation or operations of the parent corporation or entity, including the composition, structure, and functions of the workforce of the parent corporation or entity; and
5. The geographic separateness, and the administrative or fiscal relationship of the site or sites in question to the parent corporation or entity.

93116.14 Accessible or Special Goods.

93116.14.1 This part does not require a public accommodation to alter its inventory to include accessible or special goods that are designed for, or facilitate use by, individuals with disabilities.

93116.14.2 A public accommodation shall order accessible or special goods at the request of an individual with disabilities, if, in the normal course of its operation, it makes special orders on request for unstocked goods, and if the accessible or special goods can be obtained from a supplier with whom the public accommodation customarily does business.

93116.14.3 Examples of accessible or special goods include items such as Braille versions of books, books on audio cassettes, closed-captioned video tapes, special sizes or lines of clothing, and special foods to meet particular dietary needs.

93116.15 Seating in Assembly Areas. To the extent that it is readily achievable, a public accommodation shall:

1. Provide a reasonable number of wheelchair seating spaces in assembly areas; and,
 2. Locate the wheelchair seating spaces so that they:
 - 2.1. Are dispersed throughout the seating area;
 - 2.2. Provide lines of sight comparable to those in all viewing areas;
 - 2.3. Adjoin an accessible route of travel that also serves as a means of egress in case of emergency; and,
 - 2.4. Permit individuals who use wheelchairs to sit with family members or other companions.

EXCEPTION: If removal of seats is not readily achievable, a public accommodation shall provide a portable chair or other means to permit a family member or other companion to sit with an individual who uses a wheelchair.

THIS APPENDIX IS FOR REFERENCE ONLY. IT IS NOT THE RESPONSIBILITY OF THE BUILDING OFFICIAL TO ENFORCE IT.

APPENDIX CHAPTER 11

DIVISION III

AMERICANS WITH DISABILITIES ACT ALTERNATE GUIDELINES FOR DETECTABLE WARNINGS

NEW SECTION

WAC 51-30-93117 Section 93117.

Section 93117.1 General. The purpose of this division is to provide additional design guidelines for construction and installation of truncated domes as required by the Americans with Disabilities Act of 1990.

93117.2 Raised Truncated Domes. Raised truncated domes shall have a diameter of 0.9 inches (23 mm) nominal, a height of 0.2 inches (5 mm) nominal and a center-to-center spacing of 2.35 inches (60 mm) nominal. Raised truncated domes shall comply with Appendix Chapter 11, Division VI for visual contrast.

THIS APPENDIX IS FOR REFERENCE ONLY. IT IS NOT THE RESPONSIBILITY OF THE BUILDING OFFICIAL TO ENFORCE IT.

APPENDIX CHAPTER 11

DIVISION IV

AMERICANS WITH DISABILITIES ACT ALTERNATE GUIDELINES FOR AUDIBLE ALARMS

NEW SECTION

WAC 51-30-93118 Section 93118.

Section 93118.1 Purpose. The purpose of this division is to provide the United States Department of Justice, Americans with Disabilities Act Guidelines for audible alarms.

93118.2 Audible Alarms. Audible alarms shall exceed the prevailing equivalent sound level in the room or space by at least 15 decibels, or shall exceed any maximum sound level with a duration of 30 seconds by 5 decibels, whichever is louder. Sound levels for alarm signals shall not exceed 120 decibels.

THIS APPENDIX IS FOR REFERENCE ONLY. IT IS NOT THE RESPONSIBILITY OF THE BUILDING OFFICIAL TO ENFORCE IT.

**APPENDIX CHAPTER 11
DIVISION V**

**AMERICANS WITH DISABILITIES ACT
ALTERNATE GUIDELINES FOR VISUAL CONTRAST**

NEW SECTION

WAC 51-30-93119 Section 93119.

Section 93119.1 Purpose. The purpose of this division is to provide the United States Department of Justice, Americans with Disabilities Act Guidelines for visual contrast.

93119.2 Guidelines for Visual Contrast.

93119.2.1 Raised truncated domes. Raised truncated domes used as detectable warnings shall contrast visually by 70 percent with adjoining surfaces. Contrast in percent shall be determined as follows:

$$\text{Contrast} = [(B^1 - B^2) / B^1] \times 100$$

Where: B^1 = light reflectance value (LRV) of the lighter area;
and,
 B^2 = light reflectance value (LRV) of the darker area.

The material used to provide contrast shall be an integral part of the walking surface.

93119.2.2 Signage. The characters and background of signs shall be eggshell (11 to 19 degree gloss on 60 degree glossimeter). Characters shall be light on a dark background (or dark on a light background) and contrast with their background by at least 70 percent. Contrast in percent shall be determined as follows:

$$\text{Contrast} = [(B^1 - B^2) / B^1] \times 100$$

Where: B^1 = light reflectance value (LRV) of the lighter area;
and,
 B^2 = light reflectance value (LRV) of the darker area.

THIS APPENDIX IS FOR REFERENCE ONLY. IT IS NOT THE RESPONSIBILITY OF THE BUILDING OFFICIAL TO ENFORCE IT.

**APPENDIX CHAPTER 11
DIVISION VI**

**AMERICANS WITH DISABILITIES ACT GUIDELINES
FOR AUTOMATED TELLER MACHINES**

NEW SECTION

WAC 51-30-93120 Section 93120.

Section 93120.1 Purpose. The purpose of this division is to provide the United States Architectural and Transportation Barriers Compliance Board Americans with Disabilities Act Guidelines for automated teller machines.

93120.2 Accessible buildings: Automated teller machines. Where automated teller machines are provided, each machine shall comply with the requirements below except where two or more machines are provided at a location, then only one must comply.

EXCEPTION: Drive-up-only automated teller machines are not required to comply with 93120.4 and 93120.5.

93120.3 General. Each automated teller machine required to be accessible by 93120.2 shall be on an accessible route and shall comply with the provisions of the section.

93120.4 Clear floor space. The automated teller machine shall be located so that clear floor space complying with 1106.2.4.1, 1106.2.4.2, 1106.2.4.3 and 1106.2.4.4 is provided to allow a person using a wheelchair to make a forward approach, a parallel approach, or both, to the machine.

93120.5 Reach ranges.

1. Forward approach only. If only a forward approach is possible, operable parts of all controls shall be placed within the forward reach range specified in 1106.2.4.5.

2. Parallel approach only. If only a parallel approach is possible, operable parts of controls shall be placed as follows:

2.1 Reach Depth Not More Than 10 inches (255 mm). Where the reach depth to the operable parts of all controls as measured from the vertical plane perpendicular to the edge of the unobstructed clear space at the farthest protrusion of the automated teller machine or surround is not more than 10 inches (255 mm), the maximum height above the finished floor or grade shall be 54 inches (1370 mm).

2.2 Reach Depth More Than 10 inches (255 mm). Where the reach depth to the operable parts of any control as measured from the vertical plane perpendicular to the edge of the unobstructed clear floor space at the farthest protrusion of the automated teller machine or surround is more than 10 inches (255 mm), the maximum height above the finished floor or grade shall be as follows:

PERMANENT

Reach Depth		Maximum Height	
<u>Inches</u>	<u>Mm</u>	<u>Inches</u>	<u>Mm</u>
10	255	54	1370
11	280	53½	1360
12	305	53	1345
13	330	52½	1335
14	355	51½	1310
15	380	51	1295
16	405	50½	1285
17	430	50	1270
18	455	49½	1255
19	485	49	1245
20	510	48½	1230
21	535	47½	1205
22	560	47	1195
23	585	46½	1180
24	610	46	1170

3. Forward and parallel approach. If both a forward and parallel approach are possible, operable parts of controls shall be placed within at least one of the reach ranges in paragraphs (1) and (2) of this section.

4. Bins. Where bins are provided for envelopes, waste paper, or other purposes, at least one of each type provided shall comply with the applicable reach ranges in paragraph (1), (2), or (3) of this section.

EXCEPTION: Where a function can be performed in a substantially equivalent manner by using an alternate control, only one of the controls needed to perform that function is required to comply with this section. If the controls are identified by tactile markings, such markings shall be provided on both controls.

93120.6 Controls. Controls for user activation shall comply with 1106.3.

93120.7 Equipment for persons with vision impairments. Instructions and all information for use shall be made accessible to and independently usable by persons with vision impairments.

PERMANENT



WSR 95-01-015
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 94-172—Filed December 8, 1994, 4:49 p.m.]

Date of Adoption: December 8, 1994.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-32-05900U; and amending WAC 220-32-059.

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: Harvestable numbers of chinook and coho salmon are available in the Klickitat River. This regulation is consistent with the current Yakama Indian Nation regulations.

Effective Date of Rule: Immediately.

December 8, 1994

Bruce A. Crawford
 for Robert Turner
 Director

NEW SECTION

WAC 220-32-05900V Klickitat River—Salmon.

Notwithstanding the provisions of WAC 220-32-051, 220-32-052, 220-32-053, and 220-32-059, effective immediately, it is unlawful for a person to take or possess salmon, shad or sturgeon taken for commercial purposes from the waters of the Klickitat River, except those individuals possessing treaty fishing rights under the Yakama treaty may fish or possess salmon under the following provisions:

(1) OPEN TIME PERIODS:

Noon Wednesdays to 6:00 p.m. Saturdays, weekly from December 7 to December 31, 1994.

(2) OPEN AREA:

Fishing is allowed in the waters of the Klickitat River between the Swinging Bridge and fishway #5, provided that fishing is not allowed within 25 feet of the entrance to any fishway.

(3) ALLOWABLE GEAR:

(a) Commercial fishing may be conducted with dipnets setbag nets, or hook and line with bait or lures.

(b) Snagging is prohibited.

(4) ALLOWABLE SALES:

Only salmon within the fishing area described above may be sold. All fish must be sold within one mile of the Klickitat Falls fishing area.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-05900U Klickitat River—Salmon
 (94-125)

WSR 95-01-028
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 3813—Filed December 9, 1994, 3:17 p.m., effective December 10, 1994]

Date of Adoption: December 9, 1994.

Purpose: Incorporates federal policy reinterpretation: Clarifies certain temporary disability insurance and temporary worker's compensation payments are counted as earned income and no longer considered unearned income. Incorporates federal law that adds wages paid under the National and Community Service Trust Act of 1993 (Americorps) treated as earned income.

Citation of Existing Rules Affected by this Order: Amending WAC 388-218-1050 Definitions, 388-218-1400 Earned income types, 388-218-1500 Unearned income types, and 388-218-1520 Income from employment or training programs.

Statutory Authority for Adoption: RCW 74.08.090.

Other Authority: Public Law 103-82, 45 CFR 233.20 (a)(6)(iii) and (vi) and (a)(11).

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: Incorporates reinterpretation and amendment to federal law which requires implementation as soon as possible for the best interests of public assistance recipients.

Effective Date of Rule: December 10, 1994.

December 9, 1994
 Dewey Brock, Chief
 Office of Vendor Services

AMENDATORY SECTION (Amending Order 3759, filed 7/27/94, effective 9/1/94)

WAC 388-218-1050 Definitions. (1) "Allocation" means the process of determining the amount of income possessed by someone outside the AFDC assistance unit considered available to meet the needs of legal dependents in the assistance unit, or the process of determining the amount of income possessed by the assistance unit considered available to meet the needs of legal dependents outside the assistance unit.

(2) "Available income" means any income which the client possesses and can currently use to supply all or part of his/her requirements.

(3) "Budget month" means the second calendar month preceding the payment month.

(4) "Deeming" means the process of determining the amount of an alien sponsor's income available to the alien.

(5) "Earned income" means income in cash or in-kind earned as wages, salary, commissions, or profit from activities in which the client is engaged as a self-employed person or as an employee. Earned income may be derived from self-employment (such as business enterprise or farming), or derived from wages or salary received as an employee. Earned income also includes earnings over a period of time for which settlement is made at one time, for

example, sale of farm crops, livestock, or poultry. Income from rentals is earned income, provided the client has managerial responsibility for the rental property.

(6) The definition of "earned income" includes:

(a) Earnings under Title I of the Elementary and Secondary Education Act;

(b) All earnings received under the Economic Opportunity Act;

(c) Wages from on-the-job training and work experience; and

(d) Wages paid under the Job Training Partnership Act (JTPA) and the National and Community Service Trust Act of 1993 (AmeriCorps).

(7) The definition of "earned income" excludes:

(a) Returns from capital investment with respect to which the client is not actively engaged, as in a business. For example, under most circumstances, dividends and interest are excluded from "earned income."

(b) Benefits accruing as compensation or reward for service, or as compensation for lack of employment, for example, pensions and benefits from labor organizations, veterans' benefits, unemployment compensation, Social Security, etc.

(c) Income from incentive payments and training-related expenses derived from institutional or work experience training.

(d) Income received under the Job Training Partnership Act and AmeriCorps for training allowances, payments for support services, etc.

(8) "Earned income in-kind" means the in-kind item is earned by work performed for another person by the client such as earning rent from a landlord, etc.

(9) "Entitlement" means any claim or interest, payable in cash or in-kind, a client may have in the following:

(a) Benefit;

(b) Compensation;

(c) Insurance;

(d) Pension (retirement, military, etc.);

(e) Bonus;

(f) Allotment; and

(g) Allowance, etc.

(10) "Gross income" means all income not specifically exempted by rule or regulation before applicable program disregards are applied.

(11) "Income" shall include, but is not limited to, all types of:

(a) Income from the lease or rental of real or personal property;

(b) Support from parent, stepparent, or other nonrelated adult;

(c) Interest or dividends from stocks and bonds as specified in WAC 388-218-1920 (3)(a);

(d) Wages, including garnished wages;

(e) Income from farming;

(f) Benefits and entitlements from private and public agencies, such as OASDI, veterans' agencies, and U.C.;

(g) Gifts and prizes in the form of cash or marketable securities; and

(h) Lump sum payments.

(12) "Initial investments" means real or personal property purchased directly with funds from an annuity fund

or per capita payment up to the amount of the funds from the annuity fund or per capita payment.

(13) "Lump sum payment" means a nonrecurring unearned income. Lump sum payments may include, but are not limited to:

(a) Lottery, bingo, or gambling winnings;

(b) An inheritance;

(c) Personal injury award;

(d) Workers compensation awards; or

(e) Social Security back payments.

(14) "Minor parent" means a person who:

(a) Is seventeen years of age or younger; and

(b) Resides in the same household with an adult responsible for the minor parent's support.

(15) "Net income" means gross income less applicable disregards and deductions for which the client is eligible.

(16) "Newly acquired income" means any previously unreported or undiscovered income a client possesses or controls in whole or in part.

(17) "Payment month" means the calendar month for which payment is made.

(18) "Process month" means the calendar month between the budget month and the payment month.

(19) "Self-produced" means an item produced by a client, as opposed to an item purchased by a client, given to a client, or earned by a client in lieu of wages.

(20) "Student" means a client attending a school, college or university, or a course of vocational or technical training designed to fit the client for gainful employment. A full-time student must have a school schedule equal to a full-time curriculum. A part-time student must have a school schedule equal to at least one-half of a full-time curriculum. A student enrolled during the school term just completed and planning to return to school when school reopens shall retain status as a student during the summer vacation.

(21) "Supplied" means the in-kind item is furnished to the client without work or cost.

(22) "Unearned income" means income not directly resulting from a client's employment or self-employment.

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

WAC 388-218-1400 Earned income types. The department shall consider the following income types as earned income and treat accordingly:

(1) Employment partnership program wages.

(2) Foster care retainer fees received to reserve beds for foster children when a public assistance client operates a foster home for children.

(3) Earned income in-kind items shall be evaluated in terms of their cash equivalent.

(4) Self-employment income from the management and operation of a rooming, boarding, or boarding and rooming home. See WAC 388-218-1320 Board, room rental, board and room income, to determine net income.

(5) Wages, salary, commissions, or profit from activities in which a client is engaged as a self-employed person or as an employee earned in cash or in-kind.

(6) State temporary disability insurance payments and temporary worker's compensation payments which are

analogous to sick pay when such payments are employer funded and made to an individual who remains employed during recuperation from a temporary illness or injury pending return to the job.

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

WAC 388-218-1500 Unearned income types. (1) Unearned income shall include but is not limited to the following types:

- (a) Child support when not a pass-through payment or ~~((OSE))~~ DCS assignment has not been completed;
- (b) Gate money from adult corrections;
- (c) Labor and industries benefits, except those worker's compensation payments which are treated as earned income.

See WAC 388-218-1400(6);

- (d) Railroad retirement;
- (e) Social Security disability and retirement;
- (f) Unemployment compensation; and
- (g) Veteran administration benefits.

(2) Unless specifically exempt or disregarded from consideration when determining need, unearned income shall be deducted in its entirety from the payment standard plus authorized additional requirements.

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

WAC 388-218-1520 Income from employment or training programs. (1) Payments issued under the Job Training Partnership Act (JTPA) and the National and Community Service Trust Act of 1993 (AmeriCorps) shall be treated as follows:

(a) Wages paid under the Job Training Partnership Act (JTPA) and living allowances or stipends paid under the National and Community Service Trust Act of 1993 (AmeriCorps) shall be considered earned income and treated accordingly. See WAC 388-218-1690 Allocation of the income of an ineligible child, for the treatment of the income of a child excluded from the grant. See WAC 388-218-1410 Earned income of a child, for the treatment of the income of a student.

(b) Needs based payments issued under the JTPA and AmeriCorps shall be evaluated as follows:

(i) Payments which cover special needs not covered in the department need standard shall be disregarded as duplication of need does not exist.

(ii) Payments which duplicate items contained in the department need standard shall be treated in accordance with the policies contained in WAC 388-218-1540 Assistance from other agencies and organizations.

(2) Wages paid from on-the-job training or work experience are considered earned income and treated accordingly.

**WSR 95-01-030
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 94-173—Filed December 9, 1994, 4:45 p.m.]

Date of Adoption: December 9, 1994.

Purpose: Declare emergency and allow for custody or destruction of dogs harassing deer or elk.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-12-31500A.

Statutory Authority for Adoption: RCW 77.12.315.

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: Fire damage in the northern part of eastern Washington and heavier than expected snowfall in other parts has forced deer to lower elevations where harassment by dogs has been observed. In order to protect the deer population, and later elk population in these counties, it is necessary to allow enforcement officers to take dogs into custody and if necessary to destroy dogs.

Effective Date of Rule: Immediately.

December 9, 1994
Dayna Matthews
for Robert Turner
Director

NEW SECTION

WAC 232-12-31500B Declaration of emergency for custody or destruction of dogs harassing deer and elk. Effective immediately until further notice an emergency is declared in the following Washington State counties, and it is lawful for fish and wildlife officers to take into custody or destroy, if necessary, any dog that is pursuing, harassing, attacking or killing deer or elk:

- (1) Okanogan County
- (2) Douglas County
- (3) Chelan County
- (4) Kittitas County
- (5) Spokane County
- (6) Pend Orielle County
- (7) Stevens County
- (8) Ferry County
- (9) Lincoln County
- (10) Yakima County

REPEALER

The following section of the Washington State Administrative Code is repealed:

WAC 220-12-31500A Declaration of emergency for custody or destruction of dogs harassing deer and elk. (94-171)

EMERGENCY

WSR 95-01-039
EMERGENCY RULES
WASHINGTON STATE UNIVERSITY

[Filed December 12, 1994, 2:53 p.m.]

Date of Adoption: November 18, 1994.

Purpose: The regents extended the effective date of the emergency rules to provide a consistent system until the permanent rules are in place. The institution has undertaken the appropriate steps to implement rules on a permanent basis.

Citation of Existing Rules Affected by this Order: Amending WAC 504-25-005 and 504-25-015.

Statutory Authority for Adoption: RCW 28B.30.150.

Other Authority: RCW 28B.30.095, 28B.30.125.

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: Washington State University implemented a system to address the issue of academic integrity at the start of the fall semester. The institution needs to extend the period that the emergency rules are in place while the final rule-making process proceeds.

Effective Date of Rule: Immediately.

December 7, 1994
Lou Ann Pasquan
Rules Coordinator

AMENDATORY SECTION [(Amending Order 89-1, Resolution No. 3-31-89-16, filed 5/18/89, effective 7/1/89)]

WAC 504-25-005 Prologue. Washington State University, as a community dedicated to the advancement of knowledge, expects all students to behave in a manner consistent with its high standards of scholarship and conduct. Students are expected to uphold these standards both on and off campus. Acceptance of admission to the university carries with it the obligation of responsibility for the welfare of the community. Freedom to learn can be preserved only through respect for the rights of others, for the free expression of ideas, for academic integrity, and for the law.

Under the terms of admission to Washington State University, students accept its regulations and acknowledge the right of the university to take disciplinary action, including expulsion, for conduct judged unsatisfactory or disruptive to the educational process. When students violate the standards of conduct established by the university, and defined in Part I of this section, they are subject to the university disciplinary process defined in Part II of this section. Violations of the Academic Integrity Standards as defined in Part III of this chapter, subject students to the process for such violations, also in Part III. The purpose of ~~((this))~~ these processes is to educate and to protect the welfare of the community.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

AMENDATORY SECTION [(Amending Order 89-1, Resolution No. 3-31-89-16, filed 5/18/89, effective 7/1/89)]

WAC 504-25-015 Academic dishonesty. ~~((Academic dishonesty, including . . . discovered in their courses))~~ (1) A student organization's assistance in, or encouragement of, academic dishonesty as defined in WAC 504-25-015(2) is prohibited. Part III of this chapter provides procedures for dealing with academic dishonesty by individual students. Part II of this chapter provides procedures for dealing with assisting in or encouragement of academic dishonesty by student organizations. (2) Academic dishonesty, includes ((all forms of)) cheating, plagiarism and fabrication in the process of completing academic work. ((-is prohibited. Knowingly facilitating academic dishonesty is also prohibited. The expectation of)) The university expects that ~~((is that))~~ student((s)) organizations will accept these standards and that their members will conduct themselves as responsible members of the academic community. These standards should be interpreted by students as general notice of prohibited conduct. They should be read broadly, and are not designed to define misconduct in exhaustive forms. ~~((Faculty and their departments also have jurisdiction over academic matters and may also take academic action against students for any form of academic dishonesty discovered in their courses.))~~

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.

PART III
ACADEMIC INTEGRITY
STANDARDS & PROCEDURES

NEW SECTION

WAC 504-25-300 Introduction. As an institution of higher education, Washington State University is committed to principles of truth and academic honesty. All members of the university community share the responsibility for maintaining and supporting these principles. When a student enrolls in Washington State University, the student assumes an obligation to pursue academic endeavors in a manner consistent with the standards of academic integrity adopted by the university. To maintain the academic integrity of the community, the university cannot tolerate acts of academic dishonesty including any forms of cheating, plagiarism, or fabrication. Washington State University reserves the right and the power to discipline or to exclude students who engage in academic dishonesty. To that end, the university has established the following rules defining prohibited academic dishonesty and the process followed when such behavior is alleged. These rules incorporate Washington State University's Academic Integrity Policy, the university-wide document establishing policies and procedures to foster academic integrity. This policy is applicable to undergraduate and graduate students alike, as it pertains to dishonesty in course work and related academic pursuits. In cases of dishonesty in research and original scholarship,

the University's *Policy and Procedural Guidelines for Misconduct in Research and Scholarship* may take precedence over the policies and procedures contained herein.

NEW SECTION

WAC 504-25-305 Overview of academic integrity procedures. (1) The university prohibits acts of academic dishonesty in order to foster the principles of truth and academic honesty. The academic integrity procedures used by the university are considered a part of creating an educational environment that does not award undeserved credit.

(2) Settlement procedures, hearings, or appeals conducted as part of the academic integrity procedures are not subject to many of the constraints of criminal or civil hearings.

(3) The purposes of the academic integrity procedures are as follows:

- (a) To determine the facts about the allegation(s);
- (b) To determine the responsibility of the accused student;
- (c) To determine the appropriate penalty if the accused student is found responsible for a violation; and
- (d) To help any students found responsible for any violation of the academic integrity standards understand the negative impact of their actions.

(e) To educate the students, although sanctions can include temporary or permanent removal from the university.

(4) Students involved in these procedures should expect to be treated fairly and go through the process in a timely manner.

(5) A student's mental state, or use of drugs or alcohol, that may have influenced a student's behavior will generally not limit the responsibility of the student for his or her action.

NEW SECTION

WAC 504-25-310 Definitions. (1) Academic dishonesty. Academic dishonesty includes cheating, falsification, fabrication, multiple submission, plagiarism, abuse of academic materials, complicity, or misconduct in research, all of which are defined below.

(2) Cheating. Cheating is the intentional use of, or attempt to use, unauthorized material, information, or study aids in any academic activity to gain advantage. Cheating includes, but is not limited to, communicating improperly with others, especially other students, during tests or the preparation of assignments for classes; copying from books, notes or other sources during a test when this is not permitted; copying from another student's work (reports, laboratory work, computer programs, files, etc.); making improper use of calculators or other devices during a test; illegitimately procuring or using copies of current examinations; allowing a substitute to take an examination or write a paper for oneself.

(3) Falsification. Falsification is the intentional and unauthorized alteration of information in the course of an academic activity. Falsification includes, but is not limited to, altering the record of data, experimental procedures, or results; falsely describing the source of information (e.g., reproducing a quotation from a book review as if it had been

obtained from the book itself); altering academic records; altering a returned examination paper and then seeking a higher grade based on the result.

(4) Fabrication. Fabrication is the intentional invention or counterfeiting of information in the course of an academic activity without proper authorization. Fabrication includes, but is not limited to, counterfeiting data, research results, information, or procedures with inadequate foundation in fact; counterfeiting a record of internship or practicum experiences; submitting a false excuse for absence or tardiness.

(5) Multiple submission. Multiple submission includes, but is not limited to, submitting the same paper or oral report for credit in two courses without the responsible instructor's permission; making minor revisions in a paper or report for which credit has already been received and submitting it again as a new piece of work.

(6) Plagiarism.

Plagiarism is knowingly representing the work of another as one's own, without proper acknowledgment of the source. The only exceptions to the requirement that sources be acknowledged occur when the information, ideas, etc., are common knowledge. Plagiarism includes, but is not limited to, submitting as one's own work the work of a "ghost writer" or work obtained from a commercial writing service; quoting directly or paraphrasing closely from a source without giving proper credit; using figures, graphs, charts, or other such material without identifying the sources.

(7) Abuse of academic materials. Abuse of academic materials occurs when a student intentionally or knowingly destroys, steals, mutilates, or otherwise makes inaccessible library or other academic resource material that does not belong to him or her. Abuse of academic materials includes, but is not limited to, stealing, destroying, or mutilating library materials; stealing or intentionally destroying another student's notes or laboratory data; hiding resource materials so others may not use them; destroying computer programs or files needed in others' academic work; copying computer software in ways that violate the terms of the licensing agreement that comes with the software.

(8) Complicity in academic dishonesty. A student is guilty of complicity in academic dishonesty if he or she intentionally or knowingly helps or attempts to help another or others to commit an act of academic dishonesty of any of the types defined above. Complicity in academic dishonesty includes, but is not limited to, knowingly allowing another to copy from one's paper during an examination or test; distributing test questions before the time scheduled for the test; collaborating on academic projects when students are expected to work independently; taking a test for another student, or signing a false name on a piece of academic work.

(9) Misconduct in research. Graduate and undergraduate students on research appointments for the university are responsible for compliance with the university's *Policy and Procedural Guidelines for Misconduct in Research and Scholarship* found in the faculty manual. Misconduct in research is treated as academic dishonesty.

(10) Responsible instructor. The responsible instructor in the academic integrity process is the person who assigns the grades, supervises students' work, or is responsible for teaching operations in the course of study in which the

alleged violation occurred. The term "responsible instructor" can include, but is not limited to, instructors, graduate assistants, another instructor, and clinical supervisors. If the conduct does not relate to a particular course, the role of instructor for these procedures may be a department chair or academic advisor.

NEW SECTION

WAC 504-25-315 Academic integrity processes. (1) Every act of academic dishonesty affects academic evaluation of the student and also is a violation of the university's standards of conduct. Responsible instructors retain the authority and responsibility to assign grades to students, considering from an academic standpoint the nature of the student's action. This is the case even when the case is referred to the university academic integrity process. Students have recourse to appealing the responsible instructor's assignment of grades according to usual academic policy. See Academic Regulation 104.

(2) All clear instances of academic dishonesty shall be reported to the office of student affairs as outlined in 504-35-335(2). The first reported instance at WSU of academic dishonesty by a student will be treated as purely an academic matter unless, in the judgment of the responsible instructor, more serious action should be taken through the disciplinary process. Any allegation of subsequent academic dishonesty will be treated as a matter to be referred to the office of student affairs.

NEW SECTION

WAC 504-35-320 Reports of academic dishonesty. Any member of the university community who witnesses an apparent act of academic dishonesty shall report the act either to the instructor responsible for the course or activity or to the office of student affairs.

Reviser's note: The above new section was filed by the agency as WAC 504-35-320. This section is placed among sections in chapter 504-25 WAC, and therefore should be numbered WAC 504-25-320. Pursuant to the requirements of RCW 34.08.040, the section is published in the same form as filed by the agency.

NEW SECTION

WAC 504-25-325 Judicial officer and hearing boards. (1) **Judicial officer.** Judicial officers are assistants in the office of student affairs and serve as the investigators and prosecutors. Judicial officers are appointed for each Washington State University campus. The judicial officer for a particular case prepares the case and the materials after notification of a violation by an instructor. The judicial officer also serves as the secretary of the academic integrity conduct board.

(2) **Academic integrity conduct board.** The academic integrity conduct board is a subcommittee of the university conduct board whose members are recommended by the vice provost for academic affairs and appointed by the president. The academic integrity conduct board shall consist of at least five teaching faculty and four students. A hearing panel comprised of three faculty and two student members of the academic integrity conduct board will hear all cases regarding academic dishonesty in which a finding of responsibility

could result in expulsion or suspension. In a case involving allegations of misconduct in research by a graduate student, at least one member shall be a member of the graduate faculty.

(3) **Academic integrity conduct board chair.** One faculty member of the academic integrity conduct board shall be appointed the chair by the president. The chair shall serve on all academic integrity conduct board hearing panels.

(4) **Faculty hearing officers.** Faculty hearing officers are faculty members of the academic integrity conduct board. Faculty hearing officers are appointed for each Washington State University campus. A case may be heard by a faculty hearing officer when, in the judgment of the university judicial officer, the offense is such that the sanction to be imposed shall not include suspension or expulsion.

(5) **University appeals board.** See WAC 504-25-360. The university appeals board hears appeals of action taken by the academic integrity conduct board in accordance with WAC 504-25-360.

NEW SECTION

WAC 504-25-330 Acts of academic dishonesty that violate the conduct regulations and the academic integrity standards. Whenever the judicial officer determines that an alleged violation could constitute a violation of both the Conduct Regulations, WAC 504-25 Part I, and the Academic Integrity Standards, WAC 504-25 Part III, the alleged violation will be handled under the procedures of WAC 504-25 Part II. The judicial officer shall assign such cases to either an administrative hearing officer or the university conduct board in the manner described in 504-25-210.

NEW SECTION

WAC 504-25-335 Academic integrity procedures. (1) **Initial evaluation of evidence.**

(a) A responsible instructor assembles the available evidence when he or she acquires evidence of a student violation of the academic integrity standards. The instructor determines whether the case warrants further investigation or action.

(b) In cases of misconduct in research by students, the initial evaluation will be conducted in accordance with the university's policy on misconduct in research. If it is determined that misconduct has occurred, the matter will be referred to the office of student affairs. Referral to student affairs does not affect the ability of the university independently to terminate employment if the misconduct relates to the student's appointment.

(2) **Grading by instructor—referral for conduct action.** If the responsible instructor finds that a violation of academic integrity has occurred, the instructor should proceed to assign a grade, or take other appropriate action, considering the academic nature of the violation.

The instructor shall notify the office of student affairs of any finding that a violation has occurred. The office of student affairs shall notify the instructor of whether or not the alleged violation is a first offense.

If the violation is a first offense, the office of student affairs will take no additional action, unless the instructor deems the violation serious enough as to warrant further action. In such serious first offense cases, the office of

student affairs shall review the case and handle it according to the procedures set forth in this chapter.

If the offense is not a first violation, the office of student affairs shall review the case and handle it according to the procedures set forth in this chapter.

If the responsible instructor's grade is appealed and a department chair, dean, or the provost subsequently finds that a violation did not occur, or that the academic sanction was too severe, a report shall be filed with the office of student affairs indicating the finding or the modified grade.

(3) University conduct process.

(a) The university judicial officer for the campus where the violation occurred shall prepare cases for a hearing when an alleged violation of academic integrity standards is referred to the university conduct process.

(b) The university judicial officer shall contact and interview the accused student.

(c) During the interview, the student is informed of the charge(s) and asked to make a written statement about the incident.

(d) The student is informed of the individual's rights and responsibilities in the academic integrity process.

(e) The judicial officer may interview other people involved.

(f) Evaluation of the allegation.

(i) The judicial officer may discontinue any investigation when the allegation is deemed to be without basis. Before discontinuing the investigation, the judicial officer shall contact the responsible instructor.

(ii) In the event the judicial officer finds there is any basis to the allegation, the student may be officially charged with violation of the standards of conduct.

(g) Assignment of the type of hearing.

(i) The judicial officer will evaluate the seriousness of the charge and assign the case to either a faculty hearing officer or the academic integrity conduct board.

(ii) Any alleged violation which could result in suspension or expulsion shall be referred to the academic integrity conduct board, unless the student requests and is granted a hearing by a faculty hearing officer.

(iii) Every other violation shall be assigned to a faculty hearing officer at the campus where the student attends.

(h) Notice. When any student is charged by the judicial officer with a violation of the academic integrity standards, the accused party must be notified at least seven calendar days in advance of the hearing. The notice must be in writing and include the following:

(i) The specific charges, citing the appropriate university policy or regulation allegedly violated;

(ii) The time and place of the alleged act(s) insofar as may be reasonably known;

(iii) The time and place of the hearing.

NEW SECTION

WAC 504-25-340 Rights of students charged with violations of the academic integrity standards. Students charged with violations of the academic integrity standards shall have the same rights afforded students in disciplinary procedures for violations of the standards of conduct. These rights are codified as WAC 504-25-220.

NEW SECTION

WAC 504-25-345 Withdrawal from course prohibited. A student who has received notice from either a judicial officer or an instructor that he or she is or may be charged with an act of academic dishonesty in a course is not permitted to withdraw from the course unless the charge is dropped. This prohibition applies to Uncontested Withdrawals as defined by WSU's Academic Regulations.

NEW SECTION

WAC 504-25-350 Hearing guidelines. The guidelines established for administrative hearings and hearings before the university conduct board for violations of standards of conduct shall apply for hearings of alleged violations of the academic integrity standards. These guidelines are codified in WAC 504-25-235.

NEW SECTION

WAC 504-25-355 Sanctions. (1) The hearing officer or academic integrity conduct board may impose any of the following sanctions or any combination of the sanctions for violations of the academic integrity standards:

(a) A formal warning.

(b) Addition of a notation to the grade recommended by the instructor. The notation shall indicate that the student was found responsible for an act of academic dishonesty in the course for which the grade was given.

(c) Academic assignment or other creative interventions designed to promote the ethical development of the student. Such assignments or interventions shall not be devised to embarrass or unduly burden the student.

(2) The academic integrity board, or the hearing officer if the student has elected not to go before the board, may impose the following additional sanctions for violations of the academic integrity standards:

(a) Suspension from the university for a specified interval of time.

(b) Expulsion from the university.

NEW SECTION

WAC 504-25-360 Appeals. (1) Who may appeal.

(a) Any student charged with any violation(s) of the academic integrity standards and found responsible for any violation(s) by a hearing board or administrative hearing officer is entitled to one administrative appeal.

(b) The judicial officer, after consulting with the responsible instructor, is entitled to one administrative appeal when a student is found not responsible or the judicial officer deems the sanction inappropriate.

(2) Types of appeals.

(a) Appeals of findings by a faculty hearing officer go to the vice provost for academic affairs.

(b) Appeals of findings by the academic integrity conduct board go to the university appeals board.

(3) Procedure for filing an appeal.

(a) An appeal must be filed within twenty-one calendar days of the date the student received the decision.

(b) All requests to review decisions must be in writing and delivered to the vice provost for student affairs.

(c) The request must state the grounds for appeal.

(d) Students may request an appeal based on the following:

- (i) There was a procedural error which materially affected the decision;
 - (ii) New evidence has been found which was not previously available and which would have materially affected the decision;
 - (iii) The decision was not supported by substantial evidence; or
 - (iv) The sanction is too severe or not appropriate.
- (e) The judicial officer may only request an appeal based on the following:

- (i) The decision was not supported by substantial evidence; or
- (ii) The sanction is too severe, not severe enough, or not appropriate.

(4) Appeal Process.

(a) During the appeal process, the burden of proof shifts to the appealing party.

(b) The appeal is a review of the record of the hearing plus the letter of appeal, including any written argument(s) submitted by the appealing party and nonappealing party and a statement of the new evidence if that is the ground for the appeal.

(c) An appeal is not a new hearing.

(d) The vice provost for student affairs or the university appeals board may permit oral argument. The student and the judicial officer shall be notified at least three days in advance of the argument.

NEW SECTION

WAC 504-25-365 Finding of no responsibility. If the student is finally found not to have been responsible for a violation of the academic integrity guidelines, the finding will be communicated to the responsible instructor, and the instructor shall evaluate the finding and issue a grade or other appropriate action, taking into consideration the finding. If the student is not satisfied with the grade issued, the student may appeal in accordance with academic policy. See Academic Regulation 104.

NEW SECTION

WAC 504-25-370 Other interventions. In limited circumstances the university may use other interventions as codified in WAC 504-25-240.

NEW SECTION

WAC 504-25-375 Records. Records of academic integrity procedures are confidential. Such records shall be maintained in the manner established for disciplinary records in WAC 504-25-245.

**WSR 95-01-046
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 94-176—Filed December 12, 1994, 4:45 p.m., effective December 13, 1994, 12:01 a.m.]

Date of Adoption: December 10, 1994.

Purpose: Closes Cedar and Sammamish River, and a portion of Salmon Bay to fishing for game fish and closes Lake Sammamish, a portion of Salmon Bay, and Lake Washington Ship Canal to fishing for steelhead.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.040.

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: The Lake Washington wild steelhead stock has not met its escapement goal since 1986 due primarily to predation by sea lions at the Ballard Locks. Escapements averaged forty-eight percent of the escapement goal from 1987 to 1992, dipped to only eleven percent in 1993 and only four percent in 1994. The system is currently under wild steelhead release regulations from December 1 to February 28. Approximately 29,800 hatchery steelhead smolts were stocked in 1993 (there were no smolts stocked in 1992) and the predicted hatchery return this season is less than 300 fish. Given the extremely depressed status of the wild stock, the limited number of hatchery fish and the sea lion issues, the system should be closed to maximize escapement and spawning success of wild fish by reducing hooking mortality, poaching and harassment.

Effective Date of Rule: December 13, 1994, 12:01 a.m.

December 10, 1994

John McGlenn, Chair

Fish and Wildlife Commission

NEW SECTION

WAC 232-28-61961 1994-95 Washington game fish seasons and catch limits—Cedar and Sammamish River systems and Lake Sammamish, Salmon Bay, and Lake Washington Ship Canal. Notwithstanding the provisions of WAC 232-28-619, the following are CLOSED to fishing for steelhead:

Effective 12:01 a.m. December 13, 1994 to 11:59 p.m. February 28, 1995:

Lake Sammamish, Salmon Bay (only that portion as follows: all waters from the Chittendon Locks in Ballard, upstream (east) to the Fremont Bridge), and the Lake Washington Ship Canal.

Also, notwithstanding the provisions of WAC 232-28-619, the following waters are CLOSED to fishing for all game fish:

Effective 12:01 a.m. December 13, 1994 to 11:59 p.m. February 28, 1995:

The Cedar and Sammamish Rivers, Salmon Bay (only that portion as follows: from the east end of the north

EMERGENCY

wingwall of the Chittendon Locks to a line approximately 175 feet seaward of, and parallel to the railroad bridge and which runs through the wooden tower structure near the south shore.)

This amends and supersedes certain provisions of the corresponding information shown in the 1994-1995 Washington Game Fish Regulations pamphlet for these waters. All other provisions of WAC 232-28-619 relating to the above waters remain in effect.

Reviser's note: The spelling 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 95-01-048
EMERGENCY RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed December 13, 1994, 1:04 p.m.]

Date of Adoption: December 12, 1994.

Purpose: To require all possible victims eligible for Medicaid to apply for Medicaid benefits.

Citation of Existing Rules Affected by this Order:
Amending WAC 296-30-025(6).

Statutory Authority for Adoption: RCW 7.68.30 [7.68.030], 51.04.020(1), 51.04.030.

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 amendment is necessary to result in maximum use of victim Medicaid eligibility in order to resolve a projected budget shortfall. Immediate adoption of the amendment is necessary to achieve needed savings within the 1993-95 biennium. Without immediate adoption it is projected that the crime victims program will have insufficient funds to pay crime victim's benefits for the remainder of the biennium. Other possible cost saving measures have been considered, and have been rejected as causing greater hardship to victims.

Effective Date of Rule: Immediately.

December 12, 1994
Mark O. Brown
Director

AMENDATORY SECTION (Amending WSR 89-23-004, filed 11/3/89, effective 11/10/89)

WAC 296-30-025 Medical assistance eligibility. The benefits provided under chapter 7.68 RCW that are available and equivalent to those services provided under chapter 74.09 RCW or Title XIX of the Federal Social Security Act are not available to persons eligible for services provided under chapter 74.09 RCW or Title XIX of the Federal Social Security Act, except to the extent that costs for such services exceed service limits established by the department of social and health services. Accordingly:

(1) Applicants for benefits provided under chapter 7.68 RCW shall provide, concurrent with their application for crime victims' benefits, information requested by the department to determine the applicant's probable eligibility for services provided under chapter 74.09 RCW and Title XIX of the Federal Social Security Act. The applicant, or a person on behalf of the applicant, shall send the application and other requested information to the offices of the crime victims' compensation program in Olympia.

(2) The department shall provide application forms for crime victims' benefits, any forms used to determine probable eligibility for services provided under chapter 74.09 RCW or Title XIX of the Federal Social Security Act, and a pamphlet describing the crime victims' compensation program to hospitals, law enforcement agencies, community organizations, prosecutor based victim/witness units and, as requested, to other service groups. The pamphlet shall (a) explain the limitations of benefits provided under chapter 7.68 RCW; (b) provide assistance for an applicant in completing the forms; and (c) provide an applicant information about where additional assistance is available if the instructions for completing the forms are not understood or if unusual circumstances exist.

(3) Any claimant who is eligible for benefits provided under chapter 7.68 RCW and who the department determines may be eligible for services provided under chapter 74.09 RCW and Title XIX of the Federal Social Security Act, based upon the completed eligibility form referenced above, shall apply to the department of social and health services for a conclusive determination of eligibility for such services.

(4) Because a claimant's circumstances can change and in order to assure that the department provides crime victims' benefits secondary to other available public and private insurance, persons receiving benefits provided under chapter 7.68 RCW but not initially eligible to receive services provided under chapter 74.09 RCW or Title XIX of the Federal Social Security Act shall annually provide information requested by the department to determine the applicant's probable eligibility for services provided under chapter 74.09 RCW and Title XIX of the Federal Social Security Act in order to continue receiving benefits under chapter 7.68 RCW.

(5) The department shall not provide benefits for services provided under chapter 74.09 RCW and Title XIX of the Federal Social Security Act to persons who refuse or who otherwise fail to cooperate or comply in good faith with the requirements of this section, except to the extent that the costs for such services exceed service limits established by the department of social and health services.

(6)((a)) Except for claims submitted pursuant to RCW 7.68.170 for sexual assault examinations, ~~((or as provided in (b) of this subsection))~~ the department shall not consider applications for benefits under chapter 7.68 RCW until the information requested to determine probable eligibility for services provided under chapter 74.09 RCW and Title XIX of the Federal Social Security Act is received by the department.

~~((b) If the applicant seeks only services that are covered under chapter 7.68 RCW but are not services provided under chapter 74.09 RCW or Title XIX of the Federal Social Security Act, such as appropriate counseling~~

~~provided by a health care provider pursuant to WAC 296-30-080, the department shall consider applications for benefits under chapter 7.68 RCW without requiring information to determine probable eligibility for other services.))~~

**WSR 95-01-052
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 94-174—Filed December 13, 1994, 4:37 p.m.]

Date of Adoption: December 12, 1994.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-52-04600X; and amending WAC 220-52-046.

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: Test fishing results indicate that crab conditions will reach season opening criteria, established under a 1993 coastwide agreement, by December 16, 1994.

Effective Date of Rule: Immediately.

December 13, 1994
Judith Freeman
Deputy
for Robert Turner
Director

NEW SECTION

WAC 220-52-04600Y Crab fishery—Seasons and areas. Notwithstanding the provisions of WAC 220-52-046,

1) It shall be unlawful to fish for or possess crab taken from coastal waters prior to 12:01 am December 16, 1994, except that it is lawful to set baited crab gear beginning 8:00 am December 13, 1994.

2) Fishers that participated in the crab fishery that opened December 1, 1994 south of Cape Falcon may not participate north of Cape Falcon until after January 14, 1995.

NEW SECTION

WAC 220-69-25000A Required information on non-treaty fish receiving tickets Notwithstanding the provisions of WAC 220-69-250(4) effective immediately through January 15, 1995 the crab inspection certificate number is a required entry on all shellfish receiving tickets documenting landings and sale of Dungeness crab from the Pacific Ocean, Coastal Washington, Grays Harbor, Willapa Harbor, and the Columbia river. The crab inspection certificate number must be entered legibly on the left hand side of the ticket in the space indicated for dealer's use.

REPEALER

The following section of the Washington Administrative Code is repealed effective 8:00 am December 13, 1994:

WAC 220-52-04600X Crab fishery — Seasons and areas (Order #94-169)

**WSR 95-01-053
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 94-175—Filed December 13, 1994, 4:40 p.m.]

Date of Adoption: December 13, 1994.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-35000B and 220-56-38000V; and amending WAC 220-56-350 and 220-56-380.

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 harvestable surplus of clams and oysters exists for recreational harvest in some areas and other areas require conservation closure.

Effective Date of Rule: Immediately.

December 13, 1994
Judith Freeman
Deputy
for Robert Turner
Director

NEW SECTION

WAC 220-56-35000C Clams other than razor clams—Areas and seasons. Notwithstanding the provisions of WAC 220-56-350, effective immediately until further notice, it is unlawful to harvest or possess clams, cockles, borers or mussels taken for personal use from the following tidelands except during the times shown:

(1) Cama Beach State Park - state-owned tidelands beginning at the section line marker of Section 26, Township 31 North Range 2 East and following the shoreline north approximately 850 feet are **closed** until further notice.

(2) Penrose State Park - **Closed** until further notice.

(3) Oak Bay County Park - **Open** until further notice.

(4) Wolfe Property State Park - **Open** until further notice.

NEW SECTION

WAC 220-56-38000W Oysters—Areas and seasons. Notwithstanding the provisions of WAC 220-56-380, effective immediately until further notice, it is unlawful to harvest or possess oysters taken for personal use from the following tidelands except during the times shown:

EMERGENCY

- (1) Rendsland Creek - **Open** until further notice.
- (2) Twanoh State Park - **Open** until further notice.
- (3) West Dewatto (DNR 44A) - **Open** until further notice.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-56-35000B	Clams other than razor clams—Areas and seasons. (94-73)
WAC 220-56-38000V	Oysters—Areas and seasons. (94-73)

WSR 95-01-078
EMERGENCY RULES
DEPARTMENT OF REVENUE

[Filed December 16, 1994, 2:49 p.m.]

Date of Adoption: December 16, 1994.

Purpose: To implement and administer 1993 legislative changes made to RCW 84.36.041.

Citation of Existing Rules Affected by this Order: New section WAC 458-16A-010 Nonprofit homes for the aging.

Statutory Authority for Adoption: RCW 84.08.010, 84.08.070, and 84.36.041.

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 new legislation specifically requires the department to "provide by the rule the requirements for monitoring compliance" with the law and to provide by rule "the requirements for exemption." This legislation takes effect for "taxes levied in 1994 for collection in 1995." The rules must be in place in order for proper determinations to be made in 1994 relative to exemption of property so that the proper amount of levies may be determined by the county assessor for collection in 1995.

Effective Date of Rule: Immediately.

December 16, 1994
 William N. Rice
 Assistant Director
 Property Tax Division

NEW SECTION

WAC 458-16A-010 Nonprofit homes for the aging.

(1) **Introduction.** Under RCW 84.36.041, a nonprofit home for the aging may be totally or partially exempt from property tax. This section explains the exemptions allowed and the criteria that must be met in order to receive an exemption under this statute. Throughout this section, all requirements will pertain to all types of homes for the aging including, but not limited to, adult care homes, assisted living facilities, continuing care retirement communities

(CCRC), and independent housing, unless a particular type of home is separately identified.

(2) **Definitions.** For purposes of this section, the following definitions apply:

(a) "Acquisition" means that an existing home for the aging (or home) currently in operation is acquired by a nonprofit organization and the ownership of the facility will change as a result of a purchase, gift, foreclosure, or other method.

(b) "Assistance with activities of daily living" means the home provides, brokers, facilitates, or contracts for the provision of auxiliary services to residents, such as meal and housekeeping service, transportation, ambulatory service, and attendant care including, but not limited to, bathing and other acts related to personal hygiene, dressing, shopping, food preparation, monitoring of medication, and laundry services.

(c) "Combined disposable income" means the disposable income of the person submitting the income verification form, plus the disposable income of his or her spouse, and the disposable income of each cotenant occupying the dwelling unit for the preceding calendar year, less amounts paid by the person submitting the income verification form or his or her spouse or cotenant during the previous year for the treatment or care of either person received in the dwelling unit or in a nursing home.

(i) If the person submitting the income verification form was retired for two months or more of the preceding year, the combined disposable income of the person will be calculated by multiplying the average monthly combined disposable income of the person during the months the person was retired by twelve.

(ii) If the income of the person submitting the income verification form is reduced for two or more months of the preceding year by reason of the death of the person's spouse, the combined disposable income of the person will be calculated by multiplying the average monthly combined disposable income of the person after the death of the spouse by twelve.

(d) "Complete and separate dwelling units" means that the individual units of a home contain complete facilities for living, sleeping, cooking, and sanitation.

(e) "Continuing care retirement community" or "CCRC" means an entity that provides shelter and services under continuing care contracts with its residents or includes a health care facility or health service.

(f) "Continuing care contract" means a contract to provide a person, for the duration of that person's life or for a term in excess of one year, shelter along with nursing, medical, health-related or personal care services, that is conditioned upon the transfer of property, the payment of an entrance fee to the provider of the services, and/or the payment of periodic charges in consideration for the care and services provided. A continuing care contract is not excluded from this definition because the contract is mutually terminable or because shelter and services are not provided at the same location.

(g) "Cotenant" means a person who resides with an eligible resident and who shares personal financial resources with the eligible resident.

(h) "Disposable income" means adjusted gross income as defined in the federal Internal Revenue Code, as amended prior to January 1, 1994, plus all of the following items to

the extent they are not included in or have been deducted from adjusted gross income:

(i) Capital gains, other than nonrecognized gain on the sale of a principal residence under section 1034 of the federal Internal Revenue Code, or gain excluded from income under section 121 of the federal Internal Revenue Code to the extent it is reinvested in a new principal residence;

(ii) Amounts deducted for loss;

(iii) Amounts deducted for depreciation;

(iv) Pension and annuity receipts;

(v) Military pay and benefits other than attendant-care and medical-aid payments;

(vi) Veterans benefits other than attendant-care and medical-aid payments;

(vii) Federal Social Security Act and railroad retirement benefits;

(viii) Dividend receipts; and

(ix) Interest received on state and municipal bonds.

(i) "Eligible resident" means a person who:

(i) Occupied the dwelling unit as a principal place of residence as of January 1st of the year in which the claim for exemption is filed. The exemption will not be nullified if the eligible resident is confined to a hospital or nursing home and the dwelling unit is temporarily unoccupied or occupied by a spouse, a person financially dependent on the claimant for support, or both;

(ii) Is sixty-one years of age or older on December 31st of the year in which the claim for exemption is filed, or is, at the time of filing, retired from regular gainful employment by reason of physical disability. A surviving spouse of a person who was receiving an exemption at the time of the person's death will qualify for this exemption if the surviving spouse is fifty-seven years of age or older and otherwise meets the requirements of this subsection; and

(iii) Has a combined disposable income that is no more than the greater of twenty-two thousand dollars or eighty percent of the median income adjusted for family size as determined by the federal Department of Housing and Urban Development (HUD) for the county in which the person resides and in effect as of January 1 of the year the application for exemption is submitted.

(j) "Home for the aging" or "home" means a residential housing facility that:

(i) Provides a housing arrangement chosen voluntarily by the resident, the resident's guardian or conservator, or another responsible person;

(ii) Has only residents who are at least sixty-one years of age or who have needs for care generally compatible with persons who are at least sixty-one years of age; and

(iii) Provides varying levels of care and supervision, as agreed to at the time of admission or as determined necessary at subsequent times of reappraisal.

(k) "HUD" means the federal Department of Housing and Urban Development.

(l) "Local median income" means the median income adjusted for family size as most recently determined by HUD for the county in which the home is located and in effect on January 1st of the year the application for exemption is submitted.

(m) "Low income" means that the combined disposable income of a resident is eighty percent or less of the median

income adjusted for family size as most recently determined by HUD for the county in which the home is located and in effect as of January 1st of the year the application for exemption is submitted.

(n) "New construction" means the actual construction or building of all or a portion of a home that did not exist prior to the new construction.

(o) "Occupied dwelling unit" means a living unit that is occupied on January 1st of the year in which the claim for exemption is filed.

(p) "Property that is reasonably necessary" means all property that is:

(i) Operated and used by a home; and

(ii) The use of which is restricted to residents, guests, or employees of a home.

(q) "Refinancing" means the discharge of an existing debt with funds obtained through the creation of new debt. For purposes of this section, even if the application for tax exempt bond financing to refinance existing debt is treated by the financing agent as something other than refinancing, an application for a property tax exemption because of refinancing by tax exempt bonds will be treated as refinancing and the set-asides specific to refinancing will be applied. "Refinancing" shall include tax exempt bond financing in excess of the amount of existing debt that is obtained to modify, improve, restore, extend, or enlarge a facility currently being operated as a home.

(r) "Rehabilitation" means that an existing building or structure, not currently used as a home, will be modified, improved, restored, extended, or enlarged so that it will be used as a home for elderly and disabled individuals. A project will be considered a rehabilitation if the costs of rehabilitation exceed five thousand dollars. If a home has acquired tax exempt financing and does not meet the definition of "rehabilitation" contained in this subsection, the home may be eligible for a total exemption under the "refinancing" definition and if it meets the "refinancing" set-aside requirements. If such a home is not eligible for a total exemption, the department will determine the home's eligibility for a partial exemption in accordance with the pertinent parts of RCW 84.36.041 and this section.

(s) "Set-aside(s)" means the percentage of dwelling units reserved for low-income residents when new construction, rehabilitation, acquisition, or refinancing of a home is financed under a financing program using tax exempt bonds.

(t) "Shared dwelling units" or "shared units" means individual dwelling units of a home that do not contain complete facilities for living, eating, cooking, and sanitation.

(u) "Taxable value" means the value of the home upon which the tax rate is applied in order to determine the amount of property taxes due.

(v) "Total amount financed" means the total amount of financing required by the home to fund new construction, acquisition, rehabilitation, or refinancing. Seventy-five percent of this amount must be supplied by tax exempt bonds to receive the total exemption from property tax available under the tax exempt bond financing provision of RCW 84.36.041.

(3) **General requirements.** To be exempt under this section, a home for the aging must be:

(a) Exclusively used for the purposes for which exemption is granted, except as provided in RCW 84.36.805;

(b) Operated by an organization that is exempt from income tax under section 501(c) of the federal Internal Revenue Code; and

(c) The benefit of the exemption must inure to the home.

(4) **Total exemption.** There are three ways in which a home may be totally exempt from property tax. All real and personal property used by a nonprofit home that is reasonably necessary for the purposes of the home is exempt if it meets the general requirements listed in subsection (3) of this section and:

(a) At least fifty percent of the occupied dwelling units in the home are occupied by an eligible resident;

(b) The home is subsidized under a HUD program; or

(c) The construction, rehabilitation, acquisition, or refinancing of a home is financed under a program using bonds exempt from federal income tax if at least seventy-five percent of the total amount financed uses tax exempt bonds and the financing program requires the home to reserve or set-aside a percentage of all dwelling units so financed for low-income residents. See subsections (5), (6), and (7) of this section for tax exempt bond requirements and the percentage of units that must be set-aside for low-income residents in order for the home to be totally exempt.

(5) **Homes or CCRCs financed by tax exempt bonds—Generally.** All real and personal property used by a nonprofit home or CCRC may be totally exempt from property tax if at least seventy-five percent of the total amount financed for construction, rehabilitation, acquisition, or refinancing uses tax exempt bonds and the financing program requires the home or CCRC to reserve or set-aside a percentage of all dwelling units so financed for low-income residents.

(a) The percentage of set-aside units required will vary depending on whether the home is a CCRC, the purpose for which the tax exempt bond financing was obtained, the type of dwelling unit, and the receipt of Medicaid funds. The set-aside requirements for homes are set forth in subsection (6) and for CCRCs are set forth in subsection (7) of this section.

(b) The exemption will be granted in direct correlation between the total amount financed by tax exempt bonds and the portion of the home or CCRC that is constructed, acquired, rehabilitated, or refinanced by tax exempt bonds.

(c) If tax exempt bonds are used for refinancing, the set-aside requirements set forth in subsections (6) and (7) of this section will be applied to the actual area or portion of the home or CCRC to which the bonds correspond.

(i) Example 1. A CCRC (that accepts Medicaid funds) is composed of a multistory building, six duplexes, and two independent homes and the CCRC has secured tax exempt bonds to satisfy an existing mortgage on the multistory building. Only the multistory building will be considered eligible for a total exemption from property tax because of tax exempt bond financing. To receive the exemption, at least twenty percent of the dwelling units of the multistory building must be set-aside for residents at or below fifty percent of the local median income or at least forty percent of the dwelling units must be set-aside for residents at or below sixty percent of the local median income.

(ii) Example 2. A home obtains tax exempt bonds to refinance a portion of the home and to fund new construction. The department will separately consider the area of the

home that corresponds to the purpose for which the tax exempt bonds were obtained. The set-aside requirements related to refinancing will be applied to the portion of the home that corresponds to the mortgage being refinanced and the set-aside requirements related to new construction will be applied to the area of the home to be newly constructed. The department will determine the eligibility for partial exemption of the remainder of the home that is not being refinanced or constructed.

(d) If a total exemption is granted under the tax exempt bond financing provision, the total exemption will remain in effect as long as:

(i) The home or CCRC remains in compliance with the requirements under which it received the tax exempt bonds;

(ii) The tax exempt bonds are outstanding; and

(iii) The set-aside requirements are met.

(e) If a home or CCRC has obtained tax exempt bond financing to modify, improve, restore, extend, or enlarge its existing facility and the project does not meet the definition of rehabilitation contained in subsection (2) of this section, the project will not be considered a rehabilitation and the set-aside requirements related to refinancing or acquisition will be applied in determining eligibility for a total exemption.

(f) When a home or CCRC no longer meets the criteria for exemption under the tax exempt bond financing portion of the statute, eligibility for exemption under RCW 84.34.041 will be determined by the other provisions of the statute.

(6) **Set-aside requirements related to homes and tax exempt bond financing.** A specified number of dwelling units within a home must be set-aside for low income residents to obtain a total property tax exemption because of tax exempt bond financing. The set-aside requirements for homes will be determined according to the type of dwelling units contained in the home and the purpose for which the tax exempt bond financing was obtained. The provisions of this section do not apply to CCRCs. The specific set-asides requirements for CCRCs are described in subsection (7) of this section.

(a) Complete and separate dwelling units - new construction or rehabilitation. If financing was obtained for the new construction or rehabilitation of a home with any complete and separate units, the following set-asides will apply:

(i) Ten percent of the total dwelling units financed must be set-aside for residents with incomes at or below eighty percent of the local median income; and

(ii) Ten percent of the total dwelling units must be set-aside for residents at or below fifty percent of the local median income.

(b) Complete and separate dwelling units - acquisition or refinancing. If financing was obtained to acquire or refinance a home with any complete and separate units, the following set-asides will apply:

(i) Twenty percent of the total dwelling units financed must be set-aside for residents with incomes at or below fifty percent of the local median income; or

(ii) Forty percent of the total dwelling units must be set-aside for residents at or below sixty percent of the local median income.

(c) Shared dwelling units - new construction, rehabilitation, acquisition, or refinancing. If financing was obtained for the new construction, rehabilitation, acquisition, or refinancing of a home with only shared units, the following set-asides apply:

(i) Ten percent of the total dwelling units financed must be set-aside for residents with incomes at or below eighty percent of the local median income; and

(ii) Ten percent of the total dwelling units must be set-aside for residents at or below fifty percent of the local median income.

(7) Set-aside requirements related to CCRCs and tax exempt bond financing. A specified number of dwelling units of a CCRC must be set-aside for low income residents to obtain a total property tax exemption because of tax exempt bond financing. The set-aside requirements for CCRCs will be determined by whether the CCRC does or does not have Medicaid contracts for continuing care contract residents and the purpose for which the tax exempt bond financing was obtained. The provisions of this section do not apply to other homes. The specific set-asides requirements for other homes are described in subsection (6) of this section.

(a) The continuing care contract between the resident and the CCRC is a contract to provide shelter along with nursing, medical, health-related or personal care services to the resident for the duration of the resident's life or for a term in excess of one year. A resident's tenancy may not be terminated due to inability of the resident to fully pay the monthly service fee when the resident establishes facts to justify a waiver or reduction of these charges. This provision shall not apply if the resident, without the CCRC's consent, has impaired his and/or her ability to meet financial obligations required by the continuing care contract due to a transfer of assets, after taking residency, other than to meet ordinary and customary living expenses, or by incurring unusual or unnecessary new financial obligations.

(b) A CCRC without Medicaid contracts for continuing care contract residents may not receive Medicaid funds from Washington state or the federal government during the term that the bonds are outstanding, except during the initial transition period as allowed by state law or if the regulatory agreement with the tax exempt bond financier exempts the CCRC from compliance with this requirement.

(c) CCRCs not receiving Medicaid funds (including CCRCs that are permitted to receive Medicaid funds during an initial transition period only) - new construction or rehabilitation. If financing was obtained for the new construction or rehabilitation of a CCRC without Medicaid contracts for continuing care contract residents, the following set-asides apply:

(i) Ten percent of the total dwelling units financed must be set-aside for residents with incomes at or below eighty percent of the local median income; and

(ii) Fifteen percent of the total dwelling units must be set-aside for residents at or below one hundred percent of the local median income.

(d) CCRCs not receiving Medicaid funds (including CCRCs that are permitted to receive Medicaid funds during an initial transition period only) - acquisition or refinancing. If financing was obtained to acquire a CCRC or to refinance

a CCRC without Medicaid contracts for continuing care contract residents, the following set-asides apply:

(i) Twenty percent of the total dwelling units financed must be set-aside for residents with incomes at or below fifty percent of the local median income; or

(ii) Forty percent of the total dwelling units must be set-aside for residents at or below sixty percent of the local median income.

(e) CCRCs receiving Medicaid funds - new construction or rehabilitation. If financing was obtained for the new construction or rehabilitation of a CCRC with Medicaid contracts for continuing care contract residents, the following set-asides apply:

(i) Ten percent of the total dwelling units financed must be set-aside for residents with incomes at or below eighty percent of the local median income; and

(ii) Ten percent of the total dwelling units must be set-aside for residents at or below fifty percent of the local median income.

(f) CCRCs receiving Medicaid funds - acquisition or refinancing. If financing was obtained to acquire a CCRC or to refinance a CCRC with Medicaid contracts for continuing care contract residents, the following set-asides apply:

(i) Twenty percent of the total dwelling units financed must be set-aside for residents with incomes at or below fifty percent of the local median income; or

(ii) Forty percent of the total dwelling units must be set-aside for residents at or below sixty percent of the local median income.

(8) Partial exemption. If a home does not qualify for a total exemption from property tax, the home may receive a partial exemption for its real property on a unit by unit basis and a total exemption for its personal property.

(a) Real property exemption. If the real property of a home is used in the following ways, the portion of the real property so used will be exempt and the home may receive a partial exemption for:

(i) Each dwelling unit occupied by a resident requiring significant assistance with activities of daily living;

(ii) Each dwelling unit occupied by an eligible resident; and

(iii) Common or shared areas of the home that are jointly used for two or more purposes that are exempt from property tax under chapter 84.36 RCW.

(b) Assistance with activities of daily living. A home may receive a partial exemption for each dwelling unit that is occupied by a resident who requires significant assistance with the activities of daily living and the home provides, brokers, facilitates, or contracts for the provision of this assistance. A resident requiring assistance with the activities of daily living must be a resident who requires significant assistance with at least three of the nonexclusive list of activities set forth below and who, unless he or she receives the assistance, would be at risk of being placed in a nursing home. Activities of daily living include, but are not limited to:

(i) Shopping;

(ii) Meal and/or food preparation;

(iii) Housekeeping;

(iv) Transportation;

(v) Dressing;

(vi) Bathing;

- (vii) General personal hygiene;
- (viii) Monitoring of medication;
- (ix) Ambulatory services;
- (x) Laundry services;
- (xi) Incontinence management; and
- (xii) Cuing for the cognitively impaired.

(c) Examples of assistance with the activities of daily living:

(i) If the resident of a home requires someone to assist him or her with daily dressing, bathing, and personal hygiene, weekly housekeeping chores, and daily meal preparation, he or she is a resident requiring significant assistance with activities of daily living and the home may receive a partial exemption for the dwelling unit in which he or she resides.

(ii) If the resident of a CCRC only requires someone to clean his or her house weekly and to do the laundry weekly, the resident does not require significant assistance with activities of daily living and the CCRC may not receive a partial exemption for the dwelling unit.

(d) Common or shared areas. Areas of a home that are jointly used for two or more purposes exempt from property tax under chapter 84.36 RCW will be exempted under RCW 84.36.041.

(i) The joint use of the common or shared areas must be reasonably necessary for the purposes of the nonprofit organization, association, or corporation exempt from property tax under chapter 84.36 RCW. A kitchen, dining room, and laundry room are examples of the types of common or shared areas for which a partial property tax exemption may be granted.

(ii) Example. A nonprofit organization uses its facility as a home for the aging and a nursing home. The home and nursing home jointly use the kitchen and dining room. The home may receive a property tax exemption for the common or shared areas under RCW 84.36.041. The eligibility of the other areas of the facility will be determined by the appropriate statute. The home's eligibility will be determined by RCW 84.36.041 and the nursing home's eligibility will be determined by RCW 84.36.040.

(e) Amount of partial exemption. The amount of partial exemption will be calculated by multiplying the assessed value of the property reasonably necessary for the purposes of the home, minus/less the assessed value of any common or shared areas, by a fraction. The numerator of the fraction is the number of the dwelling units occupied on January 1st of the assessment year by eligible residents and by residents requiring assistance with activities of daily living. The denominator of the fraction is the total number of occupied dwelling units as of January 1st of the assessment year. Example:

Assessed value of home:	\$500,000
<u>Less assessed value of common area:</u>	<u>- 80,000</u>
Total	\$420,000

Number of units occupied on 1/1 by eligible residents and people requiring assistance with daily living activities = $\frac{6}{40}$ or .15

\$420,000 x .15 = \$63,000 Amount of partial exemption

\$420,000 - \$63,000 = \$357,000 Taxable value of home

(f) Valuation of the home. The assessor will value a home that receives a partial exemption by considering only the current use of the property during the period in which the partial exemption is received and will not consider any potential use of the property.

(9) **Income verification required from some residents.** If a home seeks a total property tax exemption because at least fifty percent of the occupied dwelling units are occupied by eligible residents or seeks to receive a partial exemption based upon the number of units occupied by eligible residents, the residents must submit income verification forms. The department may request income verification forms from residents of homes receiving a total exemption because of tax exempt bond financing.

(a) The income verification forms must be submitted to the assessor of the county in which the home is located by July 1st of the assessment year in which the application for exemption is made.

(b) The income verification form will be prescribed and furnished by the department of revenue.

(c) If an eligible resident filed an income verification form for a previous year, he or she is not required to submit a new form unless there is a change in status affecting the resident's eligibility, such as a significant increase or decrease in disposable income, or the assessor or the department requests a new income verification form to be submitted.

(10) **Three-year phase in for a home with increased taxable value.** If the taxable value of a home is increased because of the change in the method of calculating the amount of partial exemption, the increased taxable value will be phased in over a period of three years.

(a) Eligibility requirements for phase in. If the home meets the following conditions the increased taxable value may be phased in:

(i) The home was exempt or partially exempt for taxes levied in 1993 for collection in 1994;

(ii) The home is partially exempt for taxes levied in 1994 for collection in 1995; and

(iii) The taxable value of the home increased for taxes levied in 1994 for collection in 1995 due to the change prescribed by chapter 151, Laws of 1993 with respect to the numerator of the fraction used to determine the amount of partial exemption.

(b) Method of phase in. The increase in taxable value will be phased in as follows:

(i) For taxes levied in 1994 for collection in 1995, the home will pay taxes based on the taxable value in 1993 plus one-third of the increase in the taxable value from 1993 to the taxable value calculated under subsection (8)(d) of this section.

(ii) For taxes levied in 1995 for collection in 1996, the home will pay taxes based on the taxable value in 1994 plus one-half of the increase in the taxable value from 1994 to the taxable value calculated under subsection (8)(d) of this section.

(iii) For taxes levied in 1996 for collection in 1997 and for taxes levied thereafter, this subsection does not apply and the home will pay taxes on the taxable value without reference to this subsection.

(c) Example: Assume, for the purposes of this example, in 1993 the assessed value of a home was \$475,000, the

value of the shared area was \$80,000, and twenty-six percent of the units were exempt. Therefore, the assessed value

minus the value of the shared area or \$395,000 multiplied by .74 = a taxable value of \$292,300.

Column 1 Year	Column 2 Value after partial exemption	Column 3 Increase in Value (Col. 2 minus TV from Prior Year)	Column 4 Annual % of Increase to be Paid	Column 5 Amount of Increase to be Paid (Col. 3 x Col. 4)	Column 6 Taxable Value (TV) (Col. 5 +TV from Prior Year)
1993	\$292,300	—	—	—	\$292,300
1994	\$357,000*	\$64,700	33.00%	\$21,351	\$313,651
1995	\$336,000**	\$22,349	50.00%	\$11,175	\$324,826
1996	\$325,500	\$674	100.00%	\$674	\$325,500
1997	\$367,500	—	—	—	\$367,500

* This value is a continuation of the example in subsection (8)(d) of this section.

** For the purposes of this example, we are assuming that the home is located in a county on a four year revaluation cycle and that value of this home after the partial exemption will fluctuate each year because the number of eligible residents and residents who require assistance with the activities of daily living will change each year. In this example, the number of units exempt from property tax within the home used in the example in subsection (8)(d) are as follows: eight in 1995, nine in 1996, and five in 1997.

(11) **Additional requirements.** Any nonprofit home for the aging that applies for a property tax exemption under this section must also comply with the provisions of WAC 458-16A-020 and 458-16-165. WAC 458-16A-020 contains information regarding the initial application and renewal procedures relating to the exemption discussed in this section. WAC 458-16-165 sets forth additional requirements that must be complied with to obtain a property tax exemption pursuant to RCW 84.36.041.

WSR 95-01-079
EMERGENCY RULES
DEPARTMENT OF REVENUE
 [Filed December 16, 1994, 2:51 p.m.]

Date of Adoption: December 16, 1994.

Purpose: To implement and administer 1993 legislative changes made to RCW 84.36.041. To repeal WAC 458-16-265 that was made obsolete by 1993 legislative changes to RCW 84.36.041.

Citation of Existing Rules Affected by this Order: New section WAC 458-16A-020 Nonprofit homes for the aging—Initial application and annual renewal; and repealing WAC 458-16-265.

Statutory Authority for Adoption: RCW 84.08.010, 84.08.070, and 84.36.041.

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 new legislation specifically requires the department to "provide by the rule the

requirements for monitoring compliance" with the law and to provide by rule "the requirements for exemption." This legislation takes effect for "taxes levied in 1994 for collection in 1995." The rules must be in place in order for proper determinations to be made in 1994 relative to exemption of property so that the proper amount of levies may be determined by the county assessor for collection in 1995.

Effective Date of Rule: Immediately.

December 16, 1994
 William N. Rice
 Assistant Director
 Property Tax Division

NEW SECTION

WAC 458-16A-020 Nonprofit homes for the aging—Initial application and annual renewal. (1) Introduction. This section explains the initial application process that must be followed for a home for the aging home to obtain a property tax exemption under RCW 84.36.041. This section also describes the annual renewal requirements that a home must follow to retain its exempt status, as well as the role of the assessor's office and the department of revenue in administering this exemption. Throughout this section, all requirements will pertain to all types of homes for the aging including, but not limited to, adult care homes, assisted living facilities, continuing care retirement communities (CCRC), and independent housing.

(2) **Definitions.** For purposes of this section, the following definitions apply:

(a) "Assessor" means the county assessor or any agency or person who is duly authorized to act on behalf of the assessor.

(b) "Combined disposable income" means the disposable income of the person submitting the income verification form, plus the disposable income of his or her spouse, and the disposable income of each cotenant occupying the dwelling unit for the preceding calendar year, less amounts paid by the person submitting the income verification form or his or her spouse or cotenant during the previous year for

EMERGENCY

the treatment or care of either person received in the dwelling unit or in a nursing home.

(i) If the person submitting the income verification form was retired for two months or more of the preceding year, the combined disposable income of the person will be calculated by multiplying the average monthly combined disposable income of the person during the months the person was retired by twelve.

(ii) If the income of the person submitting the income verification form is reduced for two or more months of the preceding year by reason of the death of the person's spouse, the combined disposable income of the person will be calculated by multiplying the average monthly combined disposable income of the person after the death of the spouse by twelve.

(c) "Continuing care retirement community" or "CCRC" means an entity that provides shelter and services under continuing care contracts with its residents or includes a health care facility or health service.

(d) "Continuing care contract" means a contract to provide a person, for the duration of that person's life or for a term in excess of one year, shelter along with nursing, medical, health-related or personal care services, that is conditioned upon the transfer of property, the payment of an entrance fee to the provider of the services, and/or the payment of periodic charges in consideration for the care and services provided. A continuing care contract is not excluded from this definition because the contract is mutually terminable or because shelter and services are not provided at the same location.

(e) "Cotenant" means a person who resides with an eligible resident and who shares personal financial resources with the eligible resident.

(f) "Department" means the department of revenue.

(g) "Eligible resident" means a person who:

(i) Occupied the dwelling unit as his or her principal place of residence as of January 1st of the year in which the claim for exemption is filed. The exemption will not be nullified if the eligible resident is confined to a hospital or nursing home and the dwelling unit is temporarily unoccupied or occupied by a spouse, a person financially dependent on the claimant for support, or both;

(ii) Is sixty-one years of age or older on December 31st of the year in which the claim for exemption is filed, or is, at the time of filing, retired from regular gainful employment by reason of physical disability. A surviving spouse of a person who was receiving an exemption at the time of the person's death will qualify for this exemption if the surviving spouse is fifty-seven years of age or older and otherwise meets the requirements of this subsection; and

(iii) Has a combined disposable income that is no more than the greater of twenty-two thousand dollars or eighty percent of the median income adjusted for family size as determined by federal Department of Housing and Urban Development (HUD) for the county in which the person resides.

(h) "Homes for the aging" or "home(s)" means a residential housing facility that:

(i) Provides a housing arrangement chosen voluntarily by the resident, the resident's guardian or conservator, or another responsible person;

(ii) Has only residents who are at least sixty-one years of age or who have needs for care generally compatible with persons who are at least sixty-one years of age; and

(iii) Provides varying levels of care and supervision, as agreed to at the time of admission or as determined necessary at subsequent times of reappraisal.

(i) "HUD" means the federal Department of Housing and Urban Development.

(j) "Occupied dwelling unit" means a living unit that is occupied on January 1st of the year in which the claim for exemption is filed.

(k) "Property that is reasonably necessary" means all property that is:

(i) Operated and used by a home; and

(ii) The use of which is restricted to residents, guests, or employees of a home.

(3) **Application for exemption.** The tax exemption authorized by RCW 84.36.041 is claimed by and benefits a nonprofit home for the aging, not the residents of a home. Therefore, the claim for this exemption is submitted by a home to the department.

(a) If a claim for exemption is filed on behalf of a home under RCW 84.36.041 and the exemption is granted, no resident of that home may receive a personal exemption under RCW 84.36.381.

(b) A listing of the varying levels of care and supervision provided or coordinated by the home must accompany all initial applications submitted for exemption. Examples of the varying levels of care and supervision include, but are not limited to, the following:

(i) Conducting routine room checks;

(ii) Arranging for or providing transportation;

(iii) Arranging for or providing meals;

(iv) On site medical personnel;

(v) Monitoring of medication; or

(vi) Housekeeping services.

(c) Homes having real property that is used for purposes other than as a home (for example, property used by a facility for a pharmacy) must provide the department with a floor plan identifying the square footage devoted to each different exempt and nonexempt use.

(d) At the time an application for exemption is submitted, the home must submit proof that it is recognized by the Internal Revenue Service as a 501(c) organization.

(e) Homes that apply for a total exemption because of tax exempt bond financing must submit a copy of the regulatory agreement between the home and the entity that issues the bonds. When only a portion of the home is financed by a program using tax exempt bonds, the home must submit a site plan of the home indicating the areas so financed.

(4) **Segregation.** A nonprofit organization that provides shelter and services to elderly and disabled individuals may use the facility for more than one purpose that is exempt from property tax under chapter 84.36 RCW. Property that is used for more than one exempt purpose and that qualifies for exemption under a statute other than RCW 84.36.041 will be segregated and exempted pursuant to the applicable statute.

(a) If a home includes a nursing home, the department will segregate the home and the part of the facility that is used as a nursing home. The department will separately

determine the eligibility of the home under RCW 84.36.041 and the nursing home under RCW 84.36.040 for the property tax exemption available under each statute. Exception: If the home does not receive Medicaid funds (including CCRCs that are permitted to receive Medicaid funds during an initial transition period only) and is seeking a total exemption because of tax exempt bond financing, the home and nursing home will be considered as a whole when the set-aside requirements are applied.

(b) Dwelling units that are occupied by residents who do not meet the age or disability requirements of RCW 84.36.041 will be segregated and taxed.

(c) Common or shared areas. Areas of a home that are jointly used for two or more purposes exempt from property tax under chapter 84.36 RCW will be exempted under RCW 84.36.041.

(i) The joint use of the common or shared areas must be reasonably necessary for the purposes of the nonprofit organization, association, or corporation exempt from property tax under chapter 84.36 RCW. A kitchen, dining room, and laundry room are examples of the types of common or shared areas for which a property tax exemption may be granted.

(ii) Example. A nonprofit organization uses its facility as a home for the aging and a nursing home. The home and nursing home jointly use the kitchen and dining room. The home may receive a property tax exemption for the common or shared areas under RCW 84.36.041. The eligibility of the other areas of the facility will be determined by the appropriate statute. The home's eligibility will be determined by RCW 84.36.041 and the nursing home's eligibility will be determined by RCW 84.36.040.

(5) **Homes subsidized by HUD.** Homes that are subsidized by a HUD program must initially and each March 31st thereafter provide the department with a letter of certification from HUD of continued HUD subsidy and a list of the name, age, and/or disability of all residents.

(6) **Homes that are not subsidized by HUD.** If a home is not subsidized by HUD or does not meet the requirements of tax exempt bond financing, it may receive a total or partial exemption from property tax. The extent of the exemption will be determined by the number of dwelling units occupied by eligible residents. If more than fifty percent of the dwelling units are occupied by eligible residents, the home may receive a total exemption. Alternatively, if less than fifty percent of the dwelling units are occupied by eligible residents, the home may receive partial exemption for its real property on a unit by unit basis and a total exemption for its personal property. An income verification form, Form REV 64-0043, will be used to determine if a resident of a home meets the criteria of "eligible resident."

(a) Between January 1st and July 1st of the year preceding the year in which the tax is due, residents must file Form REV 64-0043 with the assessor of the county in which the home is located.

(b) If two or more residents occupy one unit, only one cotenant is required to file verification of combined disposable income, as defined in subsection (2) of this section, with the assessor.

(c) Form REV 64-0043 will not be accepted by the assessor if it is submitted or postmarked after July 1st.

(d) At any time after the initial application for exemption is approved, assessors and/or the department may:

(i) Request residents to complete Form REV 64-0043, the verification of income form;

(ii) Conduct audits; and

(iii) Request other relevant information to ensure continued eligibility.

(e) If a home not subsidized by HUD wishes to retain its exempt property tax status, the home must by March 31st of each year file with the department a list of the total number of dwelling units in their complex, the number of occupied dwelling units in their complex as of January 1st, the number of previously qualified dwelling units in their complex that are no longer occupied by the same eligible residents, and a list of the name, age, and/or disability of all residents and the date upon which they moved into or occupied the home.

(7) **Homes financed by tax exempt bonds.** Homes that receive a total property tax exemption because of tax exempt bond financing must initially and each March 31st thereafter provide the department with a letter of certification from the agency or organization monitoring compliance with the bond requirements. The letter of certification must verify that the home is in full compliance with all requirements and set-asides of the underlying regulatory agreement. The home must also annually submit a list of the name, age, and/or disability of all residents.

(8) **Assessor's responsibilities.** Assessors will determine the age or disability and income eligibility of all residents who file Form REV 64-0043, the income verification form. By July 15th each year, the assessor will forward a copy of Form REV 64-0043 to the department for each resident who meets the eligibility requirements.

(9) **Department of revenue responsibilities.** The department will make its determination by August 31st, or within thirty days of the date all required information is submitted to the department, of the exempt status of a home that applies for this exemption.

(10) **Appeals.** An applicant who is determined not to be an "eligible resident" by the assessor and a home that is denied a property tax exemption by the department each have the right to appeal. Appeals must be filed within thirty days of the date the notice of ineligibility or denial was mailed by the assessor or the department.

(a) If the assessor determines that an applicant does not meet the criteria to be an eligible resident of a home, the resident may appeal this decision to the board of equalization of the county in which the home is located.

(b) If the department denies, in whole or in part, an application for exemption, the home may appeal this denial to the state board of tax appeals.

(11) **Additional requirements.** Any nonprofit home for the aging that applies for a property tax exemption under this section must also comply with the provisions of WAC 458-16A-010 and 458-16-165. WAC 458-16A-010 contains information regarding the basic eligibility requirements to receive a total or partial exemption under RCW 84.36.041. WAC 458-16-165 sets forth additional requirements that must be complied with to obtain a property tax exemption pursuant to RCW 84.36.041.

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 458-16-265 Nonprofit homes for the aging.

**WSR 95-01-093
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 94-177—Filed December 20, 1994, 11:15 a.m.]

Date of Adoption: December 20, 1994.

Purpose: To close the 1994-95 Canada goose season in Clark County (except Ridgefield NWR) and Cowlitz County, south of the Kalama River.

Citation of Existing Rules Affected by this Order: Amending WAC 220-28-418 [232-28-418].

Statutory Authority for Adoption: RCW 77.12.040, 77.12.150.

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 reason for Western Washington Goose Management Area 2 was set by the Fish and Wildlife Commission on August 11, 1994. At that time, the Fish and Wildlife Commission authorized the department to close the season in established hunting zones within Management Area 2 when harvest of dusky Canada geese met predetermined quotas for each hunting zone. The quota for the zone consisting of Clark County and Cowlitz County south of the Kalama River was set at 45 dusks. This quota will be met on December 21. The closure is necessary to conserve dusky Canada geese for future production and recovery of the population.

Effective Date of Rule: Immediately.

December 20, 1994
Edward P. Manary
for Robert Turner
Director

NEW SECTION

WAC 232-28-41800A Canada goose season—Emergency closure Notwithstanding WAC 232-28-418, effective midnight, Thursday, December 22, 1994. Until further notice it is unlawful to hunt for or retain Canada geese taken from the following areas: Clark County (except Ridgefield NWR) and Cowlitz County, south of the Kalama River.

**WSR 95-01-100
EMERGENCY RULES
COMMISSION ON
JUDICIAL CONDUCT**

[Order 94-01—Filed December 20, 1994, 2:55 p.m., effective January 1, 1995]

Date of Adoption: December 2, 1994.

Purpose: Establish procedural rules and requirements to implement ESSB 6111 (chapter 154, Laws of 1994).

Statutory Authority for Adoption: RCW 42.52.370.

Other Authority: Article IV, section 31 of the State Constitution.

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: ESSB 6111 and chapter 42.52 RCW become effective on January 1, 1995. RCW 42.52.904. Procedural rules are required to be in effect on January 1, 1995. (Procedures to adopt permanent rules will follow.)

Effective Date of Rule: January 1, 1995.

December 2, 1994
Ruth Schroeder
Chair

**Chapter 292-09 WAC
AGENCY PROCEDURAL RULES**

NEW SECTION

WAC 292-09-010 Purpose of this chapter. The purpose of this chapter is to provide rules implementing the Ethics in Public Service Act (chapter 42.52 RCW) according to procedures prescribed in Article IV, Section 31, of the Constitution of the state of Washington and chapter 2.64 RCW for the commission on judicial conduct.

All proceedings involving state employees of the judicial branch of state government, except "judges" as defined in chapter 292-06 WAC, shall proceed under the rules set forth in this chapter. All proceedings involving "judges" as defined in RCW 2.64.010 and the Code of Judicial Conduct shall proceed exclusively under the rules set forth in chapter 292-06 WAC.

NEW SECTION

WAC 292-09-020 Role of the commission on judicial conduct. The commission on judicial conduct is constitutionally created to investigate and consider complaints concerning judges. The commission also has jurisdiction to investigate and consider complaints of violations of the Ethics in Public Service Act (chapter 42.52 RCW) or rules adopted under it, concerning state employees of the judicial branch.

NEW SECTION

WAC 292-09-030 Organization of the commission on judicial conduct. Six members of the commission must be present to take action at a commission business meeting. The adoption of or amendment to the rules of the commis-

sion shall require the affirmative vote of six members of the commission.

NEW SECTION

WAC 292-09-040 Definitions. In these rules:

"Adjudicative proceeding" means a proceeding before the commission in which the person involved is given notice and an opportunity to be heard after a determination of reasonable cause that a violation of chapter 42.52 RCW or rules adopted under it has been or is being committed.

"Administrative law judge" means a person assigned by the office of administrative hearings in accordance with chapter 34.12 RCW and appointed by the commission to hear and take evidence with respect to charges against a state employee of the judicial branch.

"Commission" means the commission on judicial conduct.

"Complainant" means the organization, association, or person who makes a complaint alleging violation of chapter 42.52 RCW or rules adopted under it.

"Complaint" means a written statement on a form provided by the commission alleging facts which may upon investigation lead to a finding of a violation of chapter 42.52 RCW or rules adopted under it.

"Determination" means a written statement finding that there is or that there is not reasonable cause to believe that a violation of chapter 42.52 RCW or rules adopted under it has been or is being committed.

"Employee" means a state employee of the judicial branch of state government, or the employee's attorney, as the context suggests.

"Enforcement action" means the imposition of sanctions, which may include one or more of the following:

- A reprimand;
- A recommendation that the employing agency commence disciplinary action against an employee; and/or
- An order for payment of any damages, civil penalties, and/or costs as permitted by chapter 42.52 RCW.

Any order for payment shall also include a reprimand.

"Fact-finder" means the commission or an administrative law judge appointed by the commission.

"Hearing" means a public hearing conducted in an adjudicative proceeding.

"Investigative panel" means a four-member subcommittee of the commission consisting of two public members, a judge, and a lawyer. The investigative panel shall make all determinations concerning reasonable cause. The panel shall perform oversight functions for commission investigative and prosecutorial functions. Members who serve on the investigative panel shall not serve as the presiding officer at any hearing in the same proceeding.

"Meeting" means a business meeting of the commission for any purpose other than a public hearing or executive session involving the investigation or consideration of a complaint.

"Member" means a member of the commission and includes alternates acting as members.

"Public member" means a member of the commission who is neither a lawyer nor a judge.

"Reprimand" means an enforcement action of the commission that finds that the conduct of the respondent

violates chapter 42.52 RCW or rules adopted under it. A reprimand may include a requirement that the respondent follow a specified corrective course of action. The commission shall issue a written reprimand and may require the respondent to appear personally before the commission for a public reading of the reprimand. The commission shall provide a copy of the reprimand to the respondent's employing agency.

"Respondent" means a state employee of the judicial branch who is the subject of a complaint, or the employee's attorney, as the context suggests.

"Staff" means the employees, or others under personal service contract or agreement, engaged to perform commission duties and to exercise commission powers.

NEW SECTION

WAC 292-09-050 Complaints and investigations. (1) Any organization, association, or person, including a member of the commission, may make a complaint to the commission alleging violation of chapter 42.52 RCW or rules adopted under it. A complaint shall be made in writing on a form provided by the commission. A complaint may be made personally or by the complainant's attorney.

(2) Upon receipt of a complaint, the commission staff shall investigate and evaluate the allegations. The investigation shall be limited to the facts alleged in the complaint. On every complaint received, the commission staff shall make a written recommendation that there is or that there is not reasonable cause to believe that a violation of chapter 42.52 RCW or rules adopted under it has been or is being committed. The investigative panel shall make a written determination whether there is reasonable cause based upon the complaint and the recommendation. A copy of the determination shall be provided to the complainant and to the respondent. If the determination concludes that there is no reasonable cause, a copy shall also be provided to the attorney general.

(3) Complaints pursuant to RCW 42.52.450 shall be investigated by the attorney general. As appropriate, pursuant to RCW 42.52.470, the investigative panel or the commission may refer a complaint to the employing agency, the attorney general, or the prosecutor.

NEW SECTION

WAC 292-09-060 Determination of reasonable cause. If the investigative panel determines that reasonable cause exists that the respondent has violated chapter 42.52 RCW or rules adopted under it, the commission shall schedule a public hearing on the merits of the complaint.

NEW SECTION

WAC 292-09-070 Respondent's answer to complaint. The respondent shall file a written answer to the complaint not later than thirty days after receipt of the determination that there is reasonable cause. Failure to file a written answer shall be deemed an admission to the facts alleged in the complaint and the determination.

NEW SECTION

WAC 292-09-080 Stipulated dispositions. Any matter before the commission may be disposed of by a stipulation at any stage of the proceeding. The respondent and a member of the commission staff shall sign the stipulation before presentation to the commission. The commission may impose any terms and conditions deemed appropriate. If the stipulation is rejected by the commission, the stipulation shall be withdrawn and cannot be used by or against the respondent in any proceeding.

When a stipulation which disposes of a complaint is accepted by the commission, the commission shall provide a copy of the stipulation to the attorney general and the complainant.

NEW SECTION

WAC 292-09-090 Adoption of model rules of procedure. Part IV—Adjudicative Proceedings—of chapter 34.05 RCW and the model rules of procedure, chapter 10-08 WAC, adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, are hereby adopted for use by the commission. In the case of conflict between chapter 34.05 RCW or the model rules of procedure and procedural rules adopted in this chapter, the procedural rules adopted by the commission shall take precedence.

NEW SECTION

WAC 292-09-100 Presiding officer. (1) In matters involving an adjudicative proceeding, the commission may designate as presiding officer a member of the commission, or an administrative law judge assigned by the office of administrative hearings under the authority of chapter 34.12 RCW.

(2) A person who has served as an investigator, prosecutor, or advocate in any stage of an adjudicative proceeding, or someone who is subject to the authority or direction of such a person, may not serve as a presiding officer in the same proceeding.

NEW SECTION

WAC 292-09-110 Discovery. The statutes and court rules regarding pretrial procedures in civil cases in superior courts of the state of Washington shall be used where applicable unless in conflict with this chapter.

NEW SECTION

WAC 292-09-120 Discovery—Authority of presiding officer. The presiding officer may permit discovery in an adjudicative proceeding. The presiding officer shall have the power to control the frequency and nature of discovery permitted and to order conferences to discuss discovery issues.

NEW SECTION

WAC 292-09-130 Fact-finding hearing. (1) Upon filing of a determination of reasonable cause, a public fact-finding hearing will be scheduled at a location and time

selected by the commission. The respondent shall have at least twenty days notice of the hearing and shall appear at the hearing in person, with or without counsel.

(2) Where there is a possibility that the respondent may be liable for a total amount of penalty and costs of more than five hundred dollars, the respondent may choose to have an administrative law judge conduct the hearing. The respondent shall indicate such choice in writing within thirty days after receipt of the determination. Notwithstanding the respondent's choice, the commission may, on its own initiative, retain an administrative law judge.

(3) Testimony taken at the hearing shall be under oath and recorded.

(4) The case in support of the complaint shall be presented at the hearing by commission staff. After the staff's case in chief, the respondent shall have the opportunity to present evidence. Both parties shall have the opportunity to cross-examine witnesses.

(5) If, based upon a preponderance of the evidence, the fact-finder finds that the respondent has violated chapter 42.52 RCW or rules adopted under it, the fact-finder shall file an order stating findings of fact, conclusions, and an enforcement action.

(6) If, based upon all the evidence, the fact-finder finds that the respondent has not engaged in an alleged violation of chapter 42.52 RCW or rules adopted under it, the fact-finder shall file an order stating findings of fact, conclusions, and an order dismissing the complaint.

(7) Civil penalties included within an enforcement action shall be established based upon the following nonexclusive aggravating and mitigating factors:

(a) Whether the violation is an isolated instance or evidences a pattern of conduct;

(b) The nature, extent, and frequency of occurrence of the violation;

(c) Whether the employee acknowledged or recognized that the violation occurred;

(d) Whether the employee has evidenced an effort to change or modify the conduct that resulted in a violation;

(e) The length of service of the employee;

(f) Whether there have been prior violations of ethics rules by the employee;

(g) The effect the violation has upon the integrity and respect for the judiciary; and

(h) The extent to which the employee exploited the position to satisfy personal desires.

(8) If the fact-finder is not the commission, the decision shall be entered as an initial order. Unless the respondent or the commission's staff files a petition for review of an initial order within twenty days of service of the initial order, the commission may adopt the initial order as its final order without further notice to the respondent. If the commission, upon its own motion, determines that the initial order should be reviewed, notice shall be given to the respondent.

NEW SECTION

WAC 292-09-140 Documents—Filing. Any document filed with the commission under the provisions of the Administrative Procedure Act, chapter 34.05 RCW; model rules of procedure, chapter 10-08 WAC; and this chapter

shall be filed with the Commission on Judicial Conduct, 908 5th Avenue S.E., P.O. Box 1817, Olympia, WA 98507.

Unless otherwise required by law, filing of a document with the commission shall be made personally, by first class mail, by certified or registered mail, by commercial parcel delivery company, or by facsimile and same-day mailing or original showing same-day postmark. Filing shall occur within the period of time specified for filing by statute, rule, or order.

NEW SECTION

WAC 292-09-150 Witness fees. All witnesses shall receive fees and expenses in the amount allowed by law for witnesses in the superior court. The person calling the witness shall be responsible for paying the witness's fees and expenses.

NEW SECTION

WAC 292-09-160 Subpoenas. (1) Investigative. The commission may subpoena witnesses, compel their attendance, administer oaths, take testimony of a person under oath, or require production for examination of any books, accounts, records, certificates, or papers relating to any matter under investigation or in question before the commission. Subpoenas may be issued by any member of the commission.

(2) Adjudicative. Subpoenas shall be issued and enforced as provided by chapter 10-08 WAC, chapter 34.05 RCW, and chapter 42.52 RCW, as appropriate.

NEW SECTION

WAC 292-09-170 Judicial review. Except as otherwise provided by law, judicial review of a commission order that a violation of chapter 42.52 RCW or rules adopted under it has occurred is governed by the provisions of chapter 34.05 RCW applicable to review of adjudicative proceedings.

**WSR 95-01-105
EMERGENCY RULES
DEPARTMENT OF HEALTH**

(State Board of Health)

[Filed December 21, 1994, 8:42 a.m., effective January 1, 1995]

Date of Adoption: December 14, 1994.

Purpose: To amend WAC 246-272-25001 Multiple site waivers, as requested by petition.

Citation of Existing Rules Affected by this Order:
Amending WAC 246-272-25001.

Statutory Authority for Adoption: RCW 43.20.050.

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 amendment of this rule assures the continued statewide protection of public health

by addressing the issue raised by the legislature and those counties interested in multiple-site waivers, wherein a delay in implementation of chapter 246-272 WAC has been requested; eliminates the need for the delay in the effective date of the rules, a delay which in essence would put the state in the precarious position of having no rules, since the current rules are repealed effective January 1, 1995; promotes the general welfare by eliminating the need for expenditures of public health funds for processing multiple-site waivers, thus allowing them to be available for other public health needs; has been developed in specific response to public interest and input; and there is not enough time before January 1, 1995, the effective date of the rule, to observe the timelines and public hearing procedures for permanent adoption.

Effective Date of Rule: January 1, 1995.

December 20, 1994

Sylvia I. Beck

Executive Director

State Board of Health

AMENDATORY SECTION (Amending WSR 94-09-025, filed 4/15/94, effective 1/1/95)

WAC 246-272-25001 Waiver of state regulations.

(1) For individual, site-by-site waiver requests, if concurrence is granted by the department, the local health officer may grant a waiver from specific requirements in this chapter for OSS under three thousand five hundred gallons per day only after the following procedure has been completed:

(a) The applicant submits a waiver application to the local health officer, including justification describing how the requested waiver is consistent with purpose and objectives to meet the public health intent of this chapter;

(b) ~~((When))~~ If the local health officer determines that the waiver is consistent with the standards in and the intent of this chapter ~~((, the applicant forwards the completed waiver form, pertinent and supportive material, with required departmental fee to the department))~~;

(c) ~~((Upon receipt of the waiver application, the department shall respond to the applicant within seven working days as to the status of departmental review. This notification is to include information regarding issues or concerns the department has identified and the expected date for completion of the review.~~

~~((d) Upon review, the department returns the waiver application to the local health officer and a copy to the applicant, indicating that the department either concurs with the waiver as requested, or conditionally concurs with the request, or states reasons for denying the request.))~~ On a quarterly basis, the local health officer will forward to the department any approved or denied waivers for their records.

(2) The department may grant a waiver from specific requirements in this chapter for a LOSS if a person submits a completed departmental waiver application and required fee to the department, including justification showing the requested waiver is consistent with the LOSS standards in this chapter, and is consistent with the purpose and objectives of this chapter to assure public health protection.

(3) If an applicant desires to modify and resubmit a previously denied waiver request, the process described

above in subsection (1) of this section for OSS under three thousand five hundred gallons per day, or subsection (2) of this section for a LOSS shall be followed again.

~~((4) For general, multiple-site waivers to respond to regional conditions or issues, if approval is granted by the state board of health, the local health officer may, under the conditions and requirements of an intergovernmental agreement with the department, grant waivers from specific requirements in this chapter for OSS under three thousand five hundred gallons per day only after the following requirements have been met:~~

~~(a) The local health officer shall submit to the department for review, a proposal for an intergovernmental agreement (IGA) between the local board of health and the department that provides:~~

~~(i) Justification for the waiver request based on sound technical and scientific information and data;~~

~~(ii) Written concurrence by the department of ecology that the standards of chapter 173-201 WAC, Water quality standards for surface waters, and chapter 173-200 WAC, Water quality standards for ground water will be met;~~

~~(iii) An appropriate local public review of the proposed IGA, including opportunity for review and comment by adjacent county governments, state agencies, affected parties, and others; and~~

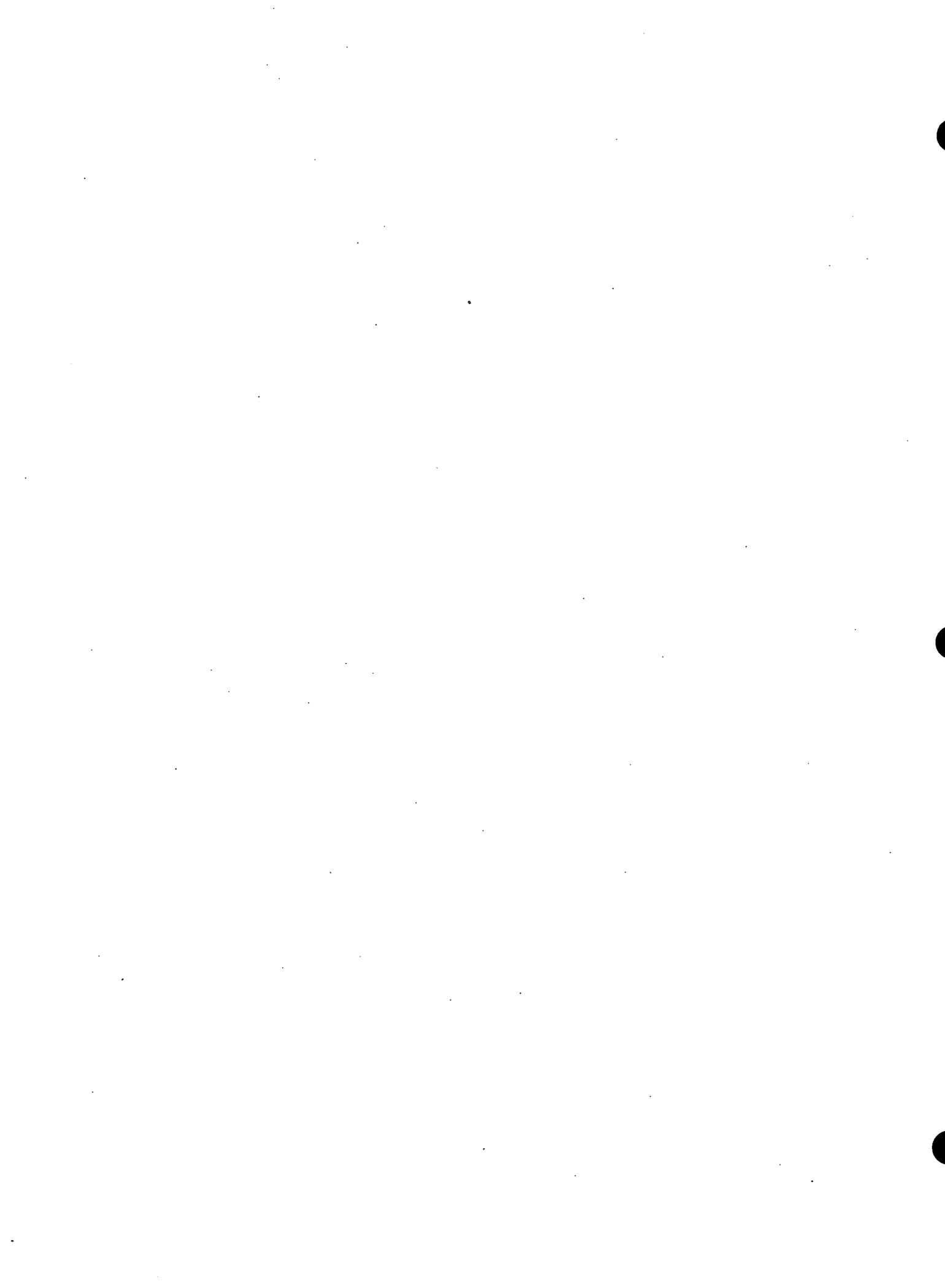
~~(iv) Appropriate technical, administrative, and regulatory requirements to assure public health protection, and limitations, conditions, revocation clauses, and other items as required by the department or the state board of health.~~

~~(b) The department shall, within ninety days of receipt of a completed proposal:~~

~~(i) Determine if the proposed IGA, with its supporting documentation, adequately addresses technical criteria and standards, and regulatory control to assure public health protection at least equal to that provided by this chapter; and~~

~~(ii) Submit to the state board of health a report with departmental recommendations regarding the waiver request and the proposed IGA.~~

~~(c) The department may establish fees or other mechanisms of cost recovery, to cover the costs of departmental review, development, and ongoing oversight of proposed intergovernmental agreements, and any departmental activity as provided and agreed upon in intergovernmental agreements, as described in this section.))~~



AGENCY RULES COORDINATORS

Designations as of 12/21/94

AGENCY	RULES COORDINATOR	PHONE	ADDRESS
Accountancy, Board of	Carey L. Rader	(360) 753-2585	P.O. Box 43110 Olympia, WA 98504-3110
Administrative Hearings, Office of	Pauline Corthell	(360) 664-8717	P.O. Box 42488 Olympia, WA 98504-2488
Agriculture, Department of	Dannie M. McQueen	(360) 902-1809	P.O. Box 42562 Olympia, WA 98504-2562
Arts Commission	Karen Kamara Gose	(360) 753-3860	P.O. Box 42675 Olympia, WA 98504-2675
Asian American Affairs, Commission on	Patricia M. Lee	(206) 464-5820	P.O. Box 40925 Olympia, WA 98504-0925
Attorney General's Office	Jane Halligan	(360) 753-6207	P.O. Box 40115 Olympia, WA 98504-0115
Auditor, State	Chuck Pfeil	(360) 753-5273	P.O. Box 40021 Olympia, WA 98504-0021
Basic Health Plan	Leslie Thorpe	(360) 586-5332	P.O. Box 42535 Olympia, WA 98504-2535
Bates Technical College	John G. Thorpe		1101 South Yakima Avenue Tacoma, WA 98405
Bellevue Community College	Elise Erickson	(206) 641-2301	3000 Landerholm Circle S.E. Bellevue, WA 98007
Bellingham Technical College	Jody McBee	(360) 738-3105 ext. 334	3028 Lindbergh Avenue Bellingham, WA 98225
Big Bend Community College	Ken Turner	(509) 762-5351	7662 Chanute Street Moses Lake, WA 98837-3299
Blind, Department of Services for the	Bonnie Jindra	(360) 586-0275	P.O. Box 40933 Olympia, WA 98504-0933
Blind, Washington State School for the	Larry W. Drotz	(360) 254-9062	611 Grand Boulevard, S-26 Vancouver, WA 98661
Building Code Council	William E. O'Neil, Jr.	(360) 586-0486	P.O. Box 48300 Olympia, WA 98504-8300
Central Washington University	Judy B. Miller	(509) 963-2111	400 East 8th Avenue Ellensburg, WA 98926-7502
Centralia College	Stephen L. Ward	(360) 736-9391	600 West Locust Street Centralia, WA 98531
Clark College	Janelle K. Farley	(360) 699-0101	1800 East McLoughlin Boulevard Vancouver, WA 98663
Clover Park Technical College	Cathleen M. Reid	(206) 589-5558	4500 Steilacoom Boulevard S.W. Tacoma, WA 98499
Code Reviser	Kerry Radcliff	(360) 753-7470	P.O. Box 40551 Olympia, WA 98504-0551
Columbia Basin College	Louise Meyers	(509) 547-0511 ext. 202	2600 North 20th Avenue Pasco, WA 99301
Community and Technical Colleges, State Board for	Claire Krueger	(360) 753-7413	P.O. Box 42495 Olympia, WA 98504-2495
Community, Trade and Economic Development, Department of	Debora Brown	(360) 753-5626	P.O. Box 48300 Olympia, WA 98504-8300
Conservation Commission	Robert P. Bottman	(360) 459-6229	P.O. Box 47721 Olympia, WA 98504-7721
Corrections, Department of	Kay Wilson-Kirby	(360) 753-5770	P.O. Box 41114 Olympia, WA 98504-1114
County Road Administration Board	Eric Berger	(360) 753-5989	P.O. Box 40913 Olympia, WA 98504-0913
Deaf, Washington State School for the	Larry W. Drotz	(360) 696-6525 ext. 327	611 Grand Boulevard, S-26 Vancouver, WA 98661-4918
Deferred Compensation, Committee for	Anne Holdren	(360) 753-1829	P.O. Box 40931 Olympia, WA 98504-0931

Eastern Washington University	Ann M. Kienholz	(509) 359-6299	MS-114, SHW 302 Cheney, WA 99004
Ecology, Department of	Paige Boule	(360) 407-6161	P.O. Box 47600 Olympia, WA 98504-7600
Edmonds Community College	Barbara Patterson	(206) 640-1535	20000 68th Avenue West Lynnwood, WA 98036
Education, State Board of	Richard M. Wilson	(360) 753-2298	P.O. Box 47200 Olympia, WA 98504-7200
Employment Security Department	John D. Nemes	(360) 438-4002	P.O. Box 46000 Olympia, WA 98504-6000
Energy Facility Site Evaluation Council	David W. Sjoding	(360) 956-2004	P.O. Box 43172 Olympia, WA 98504-3172
Environmental Hearings Office	William A. Harrison	(360) 459-6327	P.O. Box 40903 Olympia, WA 98504-0903
Everett Community College	Juli Boyington	(206) 388-9202	801 Wetmore Avenue Everett, WA 98201-1327
Evergreen State College, The	Lee Hoemann	(360) 866-6000 ext. 6116	TA-00 Olympia, WA 98505
Financial Institutions, Department of	Susan Putzier	(360) 664-3508	P.O. Box 41200 Olympia, WA 98504-1200
Financial Management, Office of	Carl Wieland	(360) 664-3350	P.O. Box 43123 Olympia, WA 98504-3123
Fish and Wildlife, Department of	Evan Jacoby	(360) 902-2930	P.O. Box 43147 Olympia, WA 98504-3147
Forest Practices Board	Judith M. Holter	(360) 902-1412	P.O. Box 47012 Olympia, WA 98504-7012
Gambling Commission	Shanna R. Lingel	(360) 438-7654 ext. 305	P.O. Box 42400 Olympia, WA 98504-2400
General Administration, Department of	Victoria W. Sheldon	(360) 753-4243	P.O. Box 41018 Olympia, WA 98504-1018
Grays Harbor College	Sandy Zelasko	(360) 538-4000	Aberdeen, WA 98520-7599
Green River Community College	Clark Townsend	(206) 833-9111 ext. 428	12401 S.E. 320th St. Auburn, WA 98002
Growth Planning Hearings Boards	M. Peter Philley	(206) 389-2625	2329 One Union Square 600 University Street Seattle, WA 98101-1129
Health Care Authority	Elin Meyer	(360) 923-2801	P.O. Box 42682 Olympia, WA 98504-2682
Health, Department of	Ann Foster	(360) 664-9381	P.O. Box 47902 Olympia, WA 98504-7902
Health Services Commission	Randy Revelle	(360) 407-0046	P.O. Box 41185 Olympia, WA 98504-1185
Higher Education Coordinating Board	Karen B. Moton-Tate	(360) 586-8782	P.O. Box 43430 Olympia, WA 98504-3430
Highline Community College	President's Office	(206) 878-3710	P.O. Box 98000 Des Moines, WA 98198-9800
Horse Racing Commission	Patty Sorby	(360) 459-6462	P.O. Box 40906 Olympia, WA 98504-0906
Human Rights Commission	Sherri A. Apilado	(360) 753-4876	P.O. Box 42490 Olympia, WA 98504-2490
Indeterminate Sentence Review Board	Dennis Marsh	(360) 493-9271	P.O. Box 40907 Olympia, WA 98504-0907
Industrial Insurance Appeals, Board of	Teresa Loe	(360) 753-6824	P.O. Box 42401 Olympia, WA 98504-2401
Information Services, Department of	Susan Hettinger	(360) 902-3535	P.O. Box 42441 Olympia, WA 98504-2441
Insurance Commissioner	Melodie Bankers	(360) 586-3574	P.O. Box 40255 Olympia, WA 98504-0255
Investment Board, State	Marilyn S. Evans	(360) 664-8907	P.O. Box 40916 Olympia, WA 98504-0916
Judicial Conduct, Commission on	David Akana	(360) 753-4585	P.O. Box 41817 Olympia, WA 98504-1817

Labor and Industries, Department of	Marie Myerchin-Redifer	(360) 956-4206	P.O. Box 44001 Olympia, WA 98504-4001
Lake Washington Technical College	Vice-President		11605 132nd Avenue N.E. Kirkland, WA 98034-8506
Library, Washington State	Gail Lincoln	(360) 753-2914	P.O. Box 42464 Olympia, WA 98504-2464
Licensing, Department of	Walt Fahrer	(360) 586-3503	P.O. Box 48016 Olympia, WA 98504-8016
Liquor Control Board	M. Carter Mitchell	(360) 753-6276	P.O. Box 43075 Olympia, WA 98504-3075
Lottery Commission	Jeffrey Burkhardt	(360) 586-6583	P.O. Box 43025 Olympia, WA 98504-3025
Lower Columbia College	Virginia M. Koken	(360) 577-2300	P.O. Box 3010 Longview, WA 98632-0310
Marine Employees' Commission	Janis Lien	(360) 586-6354	P.O. Box 40902 Olympia, WA 98504-0902
Marine Safety, Office of	Jeff Fishel	(360) 664-9124	P.O. Box 42407 Olympia, WA 98504-2407
Maritime Commission	Richard W. Buchanan	(206) 623-4990	c/o LeGros, Buchanan, Paul & Whitehead 2500 Columbia Center 701 5th Avenue Seattle, WA 98104-7098
Minority and Women's Business Enterprises, Office of	Juan Huey-Ray	(360) 586-1228	P.O. Box 41160 Olympia, WA 98504-1160
Natural Resources, Department of	Dave Dietzman	(360) 902-1600	P.O. Box 47014 Olympia, WA 98504-7014
Olympic College	Donna M. Allen, Ed.D.	(360) 478-4544	1600 Chester Avenue Bremerton, WA 98310-1699
Outdoor Recreation, Interagency Committee for	Greg Lovelady	(360) 902-3008	P.O. Box 40917 Olympia, WA 98504-0917
Parks and Recreation Commission	Sharon Howdeshell	(360) 902-8500	P.O. Box 42650 Olympia, WA 98504-2650
Peninsula College	Bonnie Cauffman	(360) 452-9277 ext. 228	1502 East Lauridsen Boulevard Port Angeles, WA 98362
Personnel Appeals Board	Victoria W. Sheldon	(360) 586-1481	P.O. Box 40911 Olympia, WA 98504-0911
Personnel, Department of	Judy Montoure	(360) 586-1770	P.O. Box 47500 Olympia, WA 98504-7500
Pierce College	Christine D. Givens	(206) 964-6500	9401 Farwest Drive S.W. Tacoma, WA 98498
Pilotage Commissioners	Peggy Larson	(206) 464-7818	801 Alaskan Way Pier 52 Seattle, WA 98104-1487
Pollution Liability Insurance Agency	Deanna Bourgault	(360) 586-5997	P.O. Box 40930 Olympia, WA 98504-0930
Productivity Board	Linda L. Mackintosh	(360) 586-8407	P.O. Box 40244 Olympia, WA 98504-0244
Public Disclosure Commission	Karen M. Copeland	(360) 753-1111	P.O. Box 40908 Olympia, WA 98504-0908
Public Employment Relations Commission	Kenneth Latsch	(360) 753-3444	P.O. Box 40919 Olympia, WA 98504-0919
Public Instruction, Superintendent of	Richard M. Wilson	(360) 753-2298	P.O. Box 47200 Olympia, WA 98504-7200
Public Works Board	Pete A. Butkus	(360) 586-7186	P.O. Box 48319 Olympia, WA 98504-8319
Puget Sound Water Quality Authority	Duane Fagergren	(360) 407-7303	P.O. Box 40900 Olympia, WA 98504-0900
Renton Technical College	Charles DeMoss	(206) 235-2426	3000 N.E. Fourth Street Renton, WA 98056-4195
Retirement Systems, Department of	Paul Neal	(360) 586-3368	P.O. Box 48380 Olympia, WA 98504-8380

Revenue, Department of	Les Jaster	(360) 586-7150	P.O. Box 47458 Olympia, WA 98504-7458
Seattle Community Colleges	James E. Christiansen	(206) 587-4160	1500 Harvard Seattle, WA 98122
Shoreline Community College	Dr. Chuck Fields	(206) 546-4641	16101 Greenwood Avenue North Seattle, WA 98133
Skagit Valley College	Judi Knutzen	(360) 428-1183	Auxilliary Services 2405 College Way Mt. Vernon, WA 98273
Social and Health Services, Department of	Sharon Staley	(360) 586-6423	P.O. Box 45811 Olympia, WA 98504-5811
South Puget Sound Community College	Patty Pynch	(360) 754-7711 ext. 202	2011 Mottman Road S.W. Olympia, WA 98502
Spokane, Community Colleges of	Geoffrey J. Eng	(509) 533-8667	North 2000 Greene Street MS 1001 Spokane, WA 99207-5499
Tacoma Community College	Irene Hardy	(206) 566-5101	5900 South 12th Street Building 13 Tacoma, WA 98465
Tax Appeals, Board of	Richard A. Virant	(360) 753-5446	P.O. Box 40915 Olympia, WA 98504-0915
Traffic Safety Commission	Cynthia Coleman	(360) 753-6197	P.O. Box 40944 Olympia, WA 98504-0944
Transportation, Commission and Department of	Bill Richeson	(360) 705-7761	P.O. Box 47410 Olympia, WA 98504-7410
Transportation Improvement Board	Donna Laing	(360) 753-7198	P.O. Box 40901 Olympia, WA 98504-0901
Treasurer, Office of the	Scott Jarvis	(360) 586-7293	P.O. Box 40200 Olympia, WA 98504-0200
University of Washington	Rebecca Goodwin Deardorff	(206) 543-9199	4014 University Way N.E. HI-29 Seattle, WA 98105
Utilities and Transportation Commission	Steve McLellan	(360) 753-6451	P.O. Box 47250 Olympia, WA 98504-7250
Veterans Affairs, Commission on	Tri Howard	(360) 753-0598	P.O. Box 41150 Olympia, WA 98504-1150
Volunteer Firefighters, Board for	Joseph Faubion	(360) 753-7318	P.O. Box 40945 Olympia, WA 98504-0945
Walla Walla Community College	Merle Scott	(509) 527-4274	500 Tausick Way Walla Walla, WA 99362-
Washington State Patrol	Jan Bart	(360) 753-4453	P.O. Box 42607 Olympia, WA 98504-2607
Washington State University	Lou Ann Pasquan	(509) 335-3543	French 220 Pullman, WA 99164-1020
Wenatchee Valley College	Anna Pieratt	(509) 664-2553	1300 Fifth Street Wenatchee, WA 98801
Western Washington University	Gloria McDonald	(360) 676-2037	320 BNB 103 East Holly Bellingham, WA 98225-4728
Whatcom Community College	Cliff Baacke	(360) 676-2170	237 West Kellogg Road Bellingham, WA 98226
Workforce Training and Education Coordinating Board	'cita Waller	(360) 753-5673	P.O. Box 43105 Olympia, WA 98504-3105
Yakima Valley Community College	Suzanne West	(509) 575-2355	P.O. Box 1647 Yakima, WA 98907-1647

WSR 95-01-004
NOTICE OF PUBLIC MEETINGS
BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
 [Memorandum—December 6, 1994]

Susan Riddle
 Administrative Assistant

The Board of Registration for Professional Engineers and Land Surveyors submit the 1995 Committee and Board Meeting Schedule for publication.

DATE	EVENT	LOCATION
January 26-27	Committee and Board	Wyndham Garden Hotel/SeaTac
March 9-10	Committee and Board	Ramada Inn/Olympia
April 21	Committee and Board	Wyndham Garden Hotel/SeaTac
May 18-19	Committee and Board	Wyndham Garden Hotel/SeaTac
June 29-30	Committee and Board	Wyndham Garden Hotel/SeaTac
August 17-18	Committee and Board	Wyndham Garden Hotel/SeaTac
September 28-29	Committee and Board	Wyndham Garden Hotel/SeaTac
November 16-17	Committee and Board	Wyndham Garden Hotel/SeaTac
December 14-15	Committee and Board	Wyndham Garden Hotel/SeaTac

The committee meetings are held on the first day and begins at 10:00 a.m. and the board meeting is held on the second day beginning at 8:30 a.m.

The Department of Licensing has a policy of providing equal access to its services. If you need special accommodation please call (206) 753-6966 or TDD (206) 586-2788.

WSR 95-01-005
NOTICE OF PUBLIC MEETINGS
OLYMPIC COLLEGE
 [Memorandum—December 6, 1994]

The board of trustees has cancelled the regular board meeting that was scheduled to be held on December 27, 1994, at 7:30 p.m. in the Board Room at Olympic College, District No. 3, Bremerton, Washington.

WSR 95-01-008
NOTICE OF PUBLIC MEETINGS
BOARD OF TAX APPEALS
 [Memorandum—December 8, 1994]

The Board of Tax Appeals scheduled its regular 1995 meetings at 10 a.m. on January 27, March 9, June 8, September 14, and December 14, 1995. The meetings will be held at the board's offices, 910 5th Avenue S.E., Olympia, WA 98504-0915.

WSR 95-01-009
RULES COORDINATOR
BOARD OF TAX APPEALS
 [Filed December 8, 1994, 2:39 p.m.]

Pursuant to RCW 34.05.312, the Board of Tax Appeals designates Richard A. Virant, Executive Director, as its rules coordinator. The office and mailing address are: Board of Tax Appeals, 910 5th Avenue S.E., P.O. Box 40915, Olympia, WA 98504-0915.

WSR 95-01-020
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
JUDICIAL CONDUCT
 [Memorandum—December 8, 1994]

The Commission on Judicial Conduct business meeting scheduled for 11:00 a.m., Friday, January 6, 1995, at the Sea-Tac Holiday Inn, 17338 Pacific Highway South, Seattle, WA, has been canceled.

WSR 95-01-021
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
JUDICIAL CONDUCT
 [Memorandum—December 8, 1994]

Following is a revised meeting schedule for 1995. This supersedes any previously published schedules.

Commission on Judicial Conduct
Business Meetings Schedule for 1995

February 3, 1995	Sea-Tac Holiday Inn 17338 Pacific Highway South Seattle, WA 98188	11:00 a.m.
April 7, 1995	Sea-Tac Holiday Inn 17338 Pacific Highway South Seattle, WA 98188	11:00 a.m.
June 2, 1995	Sea-Tac Holiday Inn 17338 Pacific Highway South Seattle, WA 98188	11:00 a.m.
August 4, 1995	Sea-Tac Holiday Inn 17338 Pacific Highway South Seattle, WA 98188	11:00 a.m.
September 1, 1995	Sea-Tac Holiday Inn 17338 Pacific Highway South Seattle, WA 98188	11:00 a.m.
October 6, 1995	Sea-Tac Holiday Inn 17338 Pacific Highway South Seattle, WA 98188	11:00 a.m.
November 3, 1995	Sea-Tac Holiday Inn 17338 Pacific Highway South Seattle, WA 98188	11:00 a.m.
December 1, 1995	Sea-Tac Holiday Inn 17338 Pacific Highway South Seattle, WA 98188	11:00 a.m.

WSR 95-01-022
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
(Beef Commission)
 [Memorandum—December 8, 1994]

The 1995 meeting schedule for the Washington State Beef Commission is as follows:

MISCELLANEOUS

January 13-14	Board Meeting	Richland
March 2-3	Board Meeting/ Strategic Planning	Seattle
May 4	Board Meeting	Ellensburg
June 8	Annual Meeting	Ellensburg
September 7	Board Meeting	Ellensburg
October 5-7	Board Meeting	Okanogan

WSR 95-01-023
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
 (Barley Commission)
 [Memorandum—December 7, 1994]

The Washington Barley Commission hereby complies with the regulations as stated in RCW 42.30.075. Following are the dates, times, and locations of our 1994 [1995] scheduled meetings:

Regular-Meeting	March 8, 1995	9:00 a.m.
Annual-Meeting	June 30, 1995	9:00 a.m.
Regular-Meeting	September 27, 1995	9:00 a.m.
Regular-Meeting	December 5, 1994 [1995]	9:00 a.m.

All meetings to be held at: West 907 Riverside Avenue.

If you have any questions, please do not hesitate to call our office at (509) 456-4400.

WSR 95-01-024
NOTICE OF PUBLIC MEETINGS
CENTRAL WASHINGTON UNIVERSITY
 [Memorandum—December 7, 1994]

The board of trustees of Central Washington University will meet at 11 a.m. on Wednesday, March 29, 1995, in the SeaTac area.

WSR 95-01-025
NOTICE OF PUBLIC MEETINGS
BELLEVUE COMMUNITY COLLEGE
 [Memorandum—December 5, 1994]

Meetings of the board of trustees of Community College District VIII for 1995 will be held on the following dates:

January 12
 February 14
 March 7
 April 11
 May 9
 June 13
 July 11
 August 8
 September 12
 October 10
 November 14
 December 12

The meetings will begin with a study session at 1:00 p.m. in the Board Room, Bellevue Campus, Bellevue, Washington,

followed by a business session at 2:00 p.m. In the event the board of trustees is unable to meet on the scheduled meeting date, a meeting may be scheduled and held as soon as possible thereafter, or as otherwise announced. In the event the board of trustees is unable to meet, the chair of the board may order that no scheduled meeting of the board of trustees be held that month.

WSR 95-01-031
NOTICE OF PUBLIC MEETINGS
PIERCE COLLEGE
 [Memorandum—December 7, 1994]

COMMUNITY COLLEGE DISTRICT NUMBER ELEVEN
PIERCE COLLEGE BOARD OF TRUSTEES
1995 REGULAR MEETING SCHEDULE

The board of trustees of Community College District Number Eleven will hold their regular meetings on the second Wednesday of each month. These meetings will be open to the public and advertised accordingly (RCW 42.30.075).

The president shall file, with the code reviser, a schedule of the time and place of such meetings on or before January of each year for publication in the Washington State Register.

1995 REGULAR MEETING SCHEDULE			
MONTH	DATE	TIME	LOCATION
January	11	12:30 p.m.	Pierce College at Ft. Steilacoom
February	8	12:30 p.m.	Pierce College at Puyallup
March	8	12:30 p.m.	Pierce College at Ft. Steilacoom
April	12	12:20 p.m.	Pierce College at Ft. Lewis
May	10	12:30 p.m.	Pierce college at Puyallup
June	14	12:30 p.m.	Pierce College at Ft. Steilacoom
July	12	12:30 p.m.	Pierce College at Puyallup

(No meeting is scheduled for August.)

September	13	12:30 p.m.	Pierce College at Ft. Steilacoom
October	11	12:30 p.m.	Pierce College at Puyallup
November	8	12:30 p.m.	Pierce College at Ft. Steilacoom
December	13	12:30 p.m.	Pierce College at Ft. Steilacoom

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

WSR 95-01-032
NOTICE OF PUBLIC MEETINGS
COLUMBIA BASIN COLLEGE
 [Memorandum—December 8, 1994]

The Columbia Basin College board of trustees meets the first Monday of each month, with the exception of September (due to Labor Day), July (due to holiday this year) and August, when there usually is no meeting. Meetings are scheduled at 4 p.m. in the board room, with executive sessions at 3:30 p.m. as needed.

MISCELLANEOUS

1995 Meeting Schedule

- January 9
- February 6
- March 6
- April 3
- May 1
- June 5
- July 10
- September 5
- October 2
- November 6
- December 4

Regular board of trustees meetings for the Seattle Community College District are to begin at 6:00 p.m. on the first Tuesday of each month, except for January 1995 and January 1996 as indicated.

BOARD OF TRUSTEES
1995 SCHEDULE

Date	Place
*January 10	South Seattle Community College 6000 16th Avenue S.W. Seattle, WA 98106-1499
February 7	North Seattle Community College 9600 College Way North Seattle, WA 98103
March 7	Seattle Central Community College 1701 Broadway Seattle, WA 98122
April 4	The Battelle Conference Center 4000 N.E. 41st Street Seattle, WA 98105-5428
May 2	Seattle Vocational Institute 315 22nd Avenue South Seattle, WA 98144
June 6	Maritime Training Center 4455 Shilshole Avenue N.W. Seattle, WA 98107
** July 11	South Seattle Community College
August	No meeting
September 5	Duwamish Center 6770 East Marginal Way South Seattle, WA 98108
October 3	Wood Construction Center 2310 South Lane Seattle, WA 98144
November 7	North Seattle Community College
December 5	Seattle Central Community College
*Second Tuesday	
**Holiday	

WSR 95-01-033
NOTICE OF PUBLIC MEETINGS
PUBLIC WORKS BOARD
[Memorandum—December 6, 1994]

PUBLIC WORKS BOARD MEETING DATES FOR 1995

DATE/TIME	EVENT	LOCATION
January 3 8:30 a.m.	Regular Meeting	SeaTac
February 7 8:30 a.m.	Regular Meeting	SeaTac
March 7 9:30 a.m.	Regular Meeting and Tour	Okanogan County
April 4 8:30 a.m.	Regular Meeting	SeaTac
May 2 8:30 a.m.	Regular Meeting	SeaTac
July 11 8:30 a.m.	Regular Meeting	SeaTac
August 1 8:30 a.m.	Regular Meeting	SeaTac
August 15 9:30 a.m.	Regular Meeting and Tour	Clallam County
September 5 8:30 a.m.	Regular Meeting	SeaTac
November 7 8:30 a.m.	Regular Meeting	SeaTac
December 5 8:30 a.m.	Regular Meeting	SeaTac

The above dates were adopted by the Public Works Board at the November 22, 1994, teleconference.

WSR 95-01-034
NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGES
[Memorandum—December 7, 1994]

The Seattle Community College District board of trustees approved a meeting schedule for 1995 and 1996 at the December 6, 1994, meeting.

BOARD OF TRUSTEES
1996 SCHEDULE

Date	Place
*January 9	Seattle Community College District 1500 Harvard Seattle, WA 98122
February 6	South Seattle Community College 6000 16th Avenue S.W. Seattle, WA 98106-1499
March 5	North Seattle Community College 9600 College Way North Seattle, WA 98103
April 2	The Battelle Conference Center 4000 N.E. 41st Street Seattle, WA 98105-5428

MISCELLANEOUS

May 7	Maritime Training Center 4455 Shilshole Avenue N.W. Seattle, WA 98107
June 4	Duwamish Center 6770 East Marginal Way South Seattle, WA 98108
July 2	Seattle Central Community College 1701 Broadway Seattle, WA 98122
August	No meeting
September 3	North Seattle Community College
October 1	Seattle Vocational Institute 315 22nd Avenue South Seattle, WA 98144
November 5	Seattle Central Community College
December 3	South Seattle Community College

*Second Tuesday
**Holiday

WSR 95-01-035
NOTICE OF PUBLIC MEETINGS
TACOMA COMMUNITY COLLEGE
[Memorandum—December 7, 1994]

The 1995 meeting schedule for the board of trustees of Tacoma Community College District 22 is as follows:

- January 12, 1995
- February 9, 1995
- March 16, 1995
- April 13, 1995
- May 11, 1995
- June 8, 1995
- July 13, 1995
- August 10, 1995
- September 14, 1995
- October 12, 1995
- November 9, 1995
- December 14, 1995

All meetings of the board will be held at 4:00 p.m. in the Baker Room, Learning Resource Center (Building 7), Tacoma, Washington.

WSR 95-01-036
NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE
[Memorandum—December 9, 1994]

The board of trustees of Edmonds Community College has adopted their annual 1995 schedule of meetings.

These meetings will normally be held in the Sno-King Building, Room 103, on the third Thursday of each month at 4:30 p.m. However, as you will note from the schedule, there is a variance.

Miscellaneous

1995 EdCC Board of Trustees Meeting Schedule

January 19, 1995	4:30 p.m.	Thursday
February 16, 1995	4:30 p.m.	Thursday
March 16, 1995	4:30 p.m.	Thursday
April 18, 1995	4:30 p.m.	Tuesday
May 25, 1995	4:30 p.m.	Thursday
June 15, 1995	4:30 p.m.	Thursday
July 20, 1995	4:30 p.m.	Thursday
August 17, 1995	4:30 p.m.	Thursday
September 12, 1995	4:30 p.m.	Thursday
October 19, 1995	4:30 p.m.	Thursday
November 16, 1995	4:30 p.m.	Thursday
December 21, 1995	4:30 p.m.	Thursday

WSR 95-01-045
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF COMMUNITY,
TRADE AND ECONOMIC DEVELOPMENT
(Certification and Accreditation Guideline Committee)
[Memorandum—December 12, 1994]

CERTIFICATION AND ACCREDITATION
GUIDELINE COMMITTEE MEETINGS FOR 1995

The meetings, with the exception of one, will be held at King County Fire District #39 Station #4, 3700 South 320th, Auburn, WA 98001. The other meeting will be held at Yakima County Fire District #5 Station #9, 9 Buena Way, Highway 22, Toppenish, WA 98948

1995 MEETING SCHEDULE

February 3rd	Committee Meeting	9 a.m. to 12 noon	Auburn
April 7th	Committee Meeting	9 a.m. to 12 noon	Auburn
June 2nd	Committee Meeting	9 a.m. to 12 noon	Yakima
August 4th	Committee Meeting	9 a.m. to 12 noon	Auburn
October 6th	Committee Meeting	9 a.m. to 12 noon	Auburn
December 1st	Committee Meeting	9 a.m. to 12 noon	Auburn

WSR 95-01-047
NOTICE OF PUBLIC MEETINGS
CENTRALIA COLLEGE
[Memorandum—December 9, 1994]

The board of trustees for Washington Community College District Twelve, at their meeting on December 8, 1994, adopted the regular meeting schedule shown below for the 1995 calendar year.

BOARD OF TRUSTEES

Meeting Schedule
1995

DATE	TIME	LOCATION
Thursday, January 12, 1995	4:30 p.m.	College Boardroom
Thursday, February 9, 1995	4:30 p.m.	College Boardroom
Thursday, March 9, 1995	4:30 p.m.	College Boardroom
Thursday, April 13, 1995	4:30 p.m.	East County Center Morton, Washington
Thursday, May 11, 1995	4:30 p.m.	College Boardroom
Thursday, June 8, 1995	4:30 p.m.	College Boardroom
Thursday, July 13, 1995	4:30 p.m.	College Boardroom
Thursday, August 10, 1995	4:30 p.m.	College Boardroom
Thursday, September 14, 1995	4:30 p.m.	College Boardroom
Thursday, October 12, 1995	4:30 p.m.	College Boardroom

MISCELLANEOUS

Thursday, November 16, 1995 4:30 p.m. College Boardroom
 Thursday, December 14, 1995 4:30 p.m. College Boardroom

WSR 95-01-049
NOTICE OF PUBLIC MEETINGS
UTILITIES AND TRANSPORTATION
COMMISSION

[Memorandum—December 13, 1994]

The following is the schedule for the 1995 regular meetings of the Washington Utilities and Transportation Commission.

- January 11, 1995
- January 25, 1995
- February 8, 1995
- February 22, 1995
- March 8, 1995
- March 22, 1995
- March 29, 1995
- April 12, 1995
- April 26, 1995
- May 10, 1995
- May 24, 1995
- May 31, 1995
- June 9, 1995
- June 28, 1995
- July 12, 1995
- August 2, 1995
- August 16, 1995
- August 30, 1995
- September 13, 1995
- September 27, 1995
- October 11, 1995
- October 25, 1995
- November 8, 1995
- November 22, 1995
- November 29, 1995
- December 13, 1995
- December 27, 1995

All commission meetings will commence at 9:00 a.m. on the days scheduled. The meetings will be held in the Commission's Hearing Room 250, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA.

Assistance with sign language interpreters or information in alternate formats shall be provided when requested ten days prior to the meeting date, by contacting the ADA Coordinator at (206) 753-6447 or TTY (206) 586-8203.

WSR 95-01-055
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
(Hop Commission)

[Memorandum—December 12, 1994]

The Washington Hop Commission has adopted a schedule for 1994 [1995] regular and annual meetings. Per WAC 16-532-020 (11)(a) we are required to hold four regular and one annual meeting each year. We file the following information, as required by RCW 42.30.075:

- | | |
|-------------|-------------------------|
| February 21 | Toppenish |
| April 11 | Yakima |
| June 13 | Prosser |
| October 12 | Sunnyside |
| December 8 | Yakima (annual meeting) |

Interested parties may call the Washington Hop Commission at (509) 453-4749 for the time and site of each meeting.

WSR 95-01-056
NOTICE OF PUBLIC MEETINGS
CRIMINAL JUSTICE
TRAINING COMMISSION

[Memorandum—December 13, 1994]

At the December 8, 1994, meeting of the commission, the dates set for meetings in 1995 were established as:

- | | |
|----------|--------------|
| Thursday | March 16 |
| Thursday | June 8 |
| Thursday | September 14 |
| Thursday | December 7 |

The commission will be meeting at the Washington State Training and Conference Center located at 19010 1st Avenue South, Seattle, WA 98148.

WSR 95-01-065
NOTICE OF PUBLIC MEETINGS
TRAFFIC SAFETY COMMISSION

[Memorandum—December 9, 1994]

Below are the 1995 meeting dates for the Washington Traffic Safety Commission:

- | | |
|----------|------------|
| Thursday | January 26 |
| Thursday | April 27 |
| Thursday | July 27 |
| Thursday | October 26 |

Each meeting will be held at 1:30 p.m. in the conference room of the Washington Traffic Safety Commission.

WSR 95-01-068
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE LIBRARY

[Memorandum—December 12, 1994]

The Public Information Access Policy Taskforce will meet on Thursday, January 12, 1995, 10:00 a.m., in Senate

MISCELLANEOUS

Conference Rooms B & C, at the John A. Cherberg Building, Capitol Campus, Olympia, Washington.

No meeting is scheduled in the month of August.

All meetings will begin at 1:30 p.m. and will be held at the Washington State Convention & Trade Center, 800 Convention Place, in downtown Seattle.

WSR 95-01-069

**NOTICE OF PUBLIC MEETINGS
MARITIME COMMISSION**
[Memorandum—December 14, 1994]

The monthly meetings of the Washington State Maritime Commission will, during 1995, continue to be held at 9:00 a.m. on the first Thursday of each month, commencing January 5, 1995. The place of the monthly meeting will continue to be at the Marine Exchange Conference Center, First Floor, 2701 1st Avenue, Seattle, WA 98121.

In the event the scheduled meeting date may fall on a legal holiday, the meeting will be held on the next weekday of that month which is not a holiday, or at such later date as shall have been established by the commission at its previous regular monthly meeting.

WSR 95-01-082

**NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE
CENTER**
[Memorandum—December 15, 1994]

A regular meeting of the board of directors of the Washington State Convention & Trade Center will be held on Wednesday, December 21, 1994, at 1:30 p.m. in Room 310 of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding this meeting, please call 447-5000.

WSR 95-01-070

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
INFORMATION SERVICES**
[Memorandum—December 14, 1994]

Following is the Information Services Board meeting dates for calendar year 1995:

- February 8
- April 19
- June 28
- September 6
- November 15

The locations are to be determined.

If you need additional information, please contact Lynn Kennedy, at 902-3566.

WSR 95-01-083

**NOTICE OF PUBLIC MEETINGS
CLARK COLLEGE**
[Memorandum—December 14, 1994]

At its meeting held December 13, 1994, the Clark College board of trustees adopted the following meeting schedule for 1995:

- January 25
- February 22
- March 16
- April 26
- May 24
- June 28
- July 26
- August 23
- September 27
- October 25
- November 15
- December 13

WSR 95-01-081

**NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE
CENTER**
[Memorandum—December 15, 1994]

1995 Regular Meetings of the Board of Directors

- Wednesday,
- January 11
- February 22
- March 15
- April 19
- May 17
- June 21
- July 19
- September 13
- October 18
- November 15
- December 20

WSR 95-01-084

**NOTICE OF PUBLIC MEETINGS
RULES COORDINATOR
CLOVER PARK TECHNICAL COLLEGE**
[Filed December 16, 1994, 4:18 p.m.]

The board of trustees of Clover Park Technical College at their regularly scheduled meeting on June 21, 1994, identified the following dates for their monthly meetings in 1995 in compliance with RCW 42.30.075:

- January 17, 1995
- February 21, 1995
- March 21, 1995
- April 18, 1995
- May 16, 1995
- June 20, 1995
- July 18, 1995
- September 19, 1995

MISCELLANEOUS

October 17, 1995
 November 21, 1995
 December 19, 1995

WSR 95-01-086
ATTORNEY GENERAL OPINION
Cite as: AGO 1994 No. 23
 [December 14, 1994]

All meetings will begin at 3:00 p.m. in the board room located in Building 15 on the Clover Park Technical College campus at 4500 Steilacoom Boulevard S.W., Tacoma, WA 98499.

In accordance with RCW 34.05.310, please be advised that Ms. Cathleen M. Reid, Vice-President for Administrative Services, will serve as the agency rules coordinator for Clover Park Technical College. Her mailing address and phone number are as follows:

Ms. Cathleen M. Reid
 Vice-President for Administrative Services
 Clover Park Technical College
 4500 Steilacoom Boulevard S.W.
 Tacoma, WA 98499
 Phone (206) 589-5558 or SCAN 221-5558

Alson E. Green, Jr.
 President

WSR 95-01-085
ATTORNEY GENERAL OPINION
Cite as: AGO 1994 No. 22
 [December 13, 1994]

FIREARMS—AMMUNITIONS—LICENSING—Necessity to obtain license to sell firearms and ammunition

1. The employees of a firearms dealer are required to undergo fingerprinting and a background check before they can sell firearms, in addition to the requirement that they be eligible to possess a firearm and obtain a concealed weapons permit.
2. Firearms dealers who permit employees to sell firearms who do not meet the qualifications set forth in RCW 9.41.110 (5)(b) are subject to license revocation, as well as to possible criminal penalties as outlined in RCW 9.41.810.
3. An employee of a firearms dealer does not have to obtain his or her own dealer's license in order to sell firearms, if the employee does not own, control, or profit from the business and otherwise meets the requirements contained in RCW 9.41.110 for an employee of a dealer.
4. A person who is engaged in the business of selling ammunition in the state of Washington, but is not engaged in the business of manufacturing or importing ammunition or of selling firearms, does not have to obtain a state license, nor are the employees of such a person subject to a licensing requirement.

Requested by:
 Honorable Clyde Ballard
 State Representative, District 12
 Legislative Building, MS 40623
 Olympia, WA 98504-0623

COURT REPORTERS—COURT COSTS—COUNTIES—COUNTY TREASURERS—Retention of costs recovered from litigants for preparing transcripts of court proceedings

1. Official court reporters are entitled to retain any fees earned from transcribing the records of court proceedings, as compensation in addition to the salary provided in RCW 2.32.210.
2. A county may not lawfully reduce an official reporter's salary by the amount of transcription fees collected by the reporter.
3. A superior court clerk may not lawfully retain fees collected under RCW 2.32.240 for transcription services; such fees are to be deposited in the county treasury.
4. Persons employed to electronically record superior court proceedings pursuant to Civil Rule 80(b) may or may not be entitled to retain fees paid for transcription services; this is a term of employment to be determined by the county employing the recorder.
5. The county, not the state, is responsible for paying necessary transcription or tape copying costs for superior court proceedings involving indigent criminal defendants.

Requested by:
 Honorable William H. Hawkins
 Island County Prosecuting Attorney
 P.O. Box 5000
 Coupeville, WA 98239

WSR 95-01-087
DEPARTMENT OF ECOLOGY
 [Filed December 19, 1994, 12:31 p.m.]
PUBLIC WORKSHOP AND HEARING

**DRAFT BLAINE
 GROUND WATER MANAGEMENT AREA PROGRAM**

The Department of Ecology is pleased to announce a public workshop and hearing on the draft Blaine ground water management area program. The location and time for the workshop and hearing is:

Date: January 12, 1995
 Time: 7:00 p.m.
 Place: Blaine City Council Chambers
 344 "H" Street in Blaine

The draft Blaine ground water management area program is the result of several years of work by the Blaine Ground Water Advisory Committee. It is a program developed to address ground water issues in the area.

The workshop will consist of a short presentation and discussion on the plan, followed by the public hearing. The public hearing is a formal process where oral comments can be given.

MISCELLANEOUS

The hearing starts the "findings" process for this program. In preparing findings, affected local governments assess the proposed program, as best they can, for technical soundness, economic feasibility, and consistency with laws and regulations. The period for governments to prepare findings lasts 90 days from the hearing and ends on April 12, 1995.

Findings from affected governments should be sent to:

John Hergesheimer
Blaine Public Works
344 "H" Street
Blaine, WA 98230
Phone (206) 332-8820
FAX (206) 332-7124

Written public comments on the plan will be taken until February 10, 1995, and can be addressed or telefaxed to:

Doug Rushton
Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600
Phone (206) 407-6642
FAX (206) 407-7162

At the end of the comment period, the city (as lead agency) consolidates comments from the governments and presents them to the Ground Water Advisory Committee (GWAC). The GWAC then resolves areas of nonconcurrence, if any, and presents the plan to ecology for consideration for certification.

WSR 95-01-088
RULES COORDINATOR
DEPARTMENT OF ECOLOGY
[Filed December 19, 1994, 12:32 p.m.]

In accordance with RCW 34.05.312, the rules coordinator for the Department of Ecology is Paige Boule, Legislative and Intergovernmental Relations, P.O. Box 47600, Olympia, WA 98504-7600, (206) 407-6161.

Mary Riveland
Director

WSR 95-01-091
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION COMMISSION
[Memorandum—December 16, 1994]

Listed below is the Washington State Transportation Commission's 1995 public meeting schedule.

1995 MEETING SCHEDULE

Dates	Location
January 18 and 19	Olympia
February 15 and 16	Vancouver
March 15 and 16	Olympia
April 11 and 12	Olympia
May 17 and 18	Olympia
June 14 and 15	Port Angeles
July 19 and 20	Olympia

August 16 and 17	Olympia
September 20 and 21	Yakima
October 18 and 19	Olympia
November 15 and 16	Spokane
December 20 and 21	Olympia

Specific times and locations will be confirmed throughout the year. For further information, contact the commission office at (206) 705-7070.

WSR 95-01-092
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION COMMISSION
[Memorandum—December 16, 1994]

The January 1994 [1995] Washington State Transportation Commission meetings will be held at 1:00 p.m. on Wednesday, January 18, and 9:00 a.m. on Thursday, January 19, 1995, in the Transportation Commission Room (1D2), Transportation Building, Olympia, Washington. There will be committee meetings at 9:00 a.m., Wednesday, January 18, in the Transportation Building, Rooms 1D2 and 3F21, Olympia, Washington.

The February 1995 Washington State Transportation Commission meetings will be held at 11:00 a.m. on Wednesday, February 15, and 9:00 a.m. on Thursday, February 16, 1995, at the Red Lion Inn at the Quay, Vancouver, Washington. There will be committee meetings at 9:00 a.m., Wednesday, February 15, at the Red Lion Inn at the Quay, Vancouver, Washington.

WSR 95-01-094
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING
(Escrow Commission)
(Real Estate Commission)
[Memorandum—December 16, 1994]

1995 WASHINGTON REAL ESTATE COMMISSION

Dates	Tentative Meeting Locations
March 17, 1995	Olympia Area
June 20, 1995	Vancouver, Washington Area
September 12, 1995	Tacoma Area
December 1, 1995	SeaTac Area

1995 WASHINGTON ESCROW COMMISSION

Dates	Tentative Meeting Locations
April 6, 1995	Olympia Area
July 6, 1995	To Be Determined
October 5, 1995	SeaTac Area

WSR 95-01-095
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE
[Memorandum—December 15, 1994]

Pursuant to RCW 42.30.075, the Bellingham Technical College board of trustees' regular meetings during 1995 will

MISCELLANEOUS

be held on the third Thursday of each month except July. Meetings will be held at 9 a.m. in the College Services Building, Bellingham Technical College, 3028 Lindbergh Avenue, Bellingham, WA 98225.

October 13 Vancouver
 November 17 Olympia - Videoconference
 December 15 Olympia - Telephone Conference Call

WSR 95-01-096
RULES COORDINATOR
BELLINGHAM TECHNICAL COLLEGE
 [Filed December 20, 1994, 2:37 p.m.]

The rules coordinator for Bellingham Technical College is as follows:

Jody McBee
 Administrative Assistant
 Bellingham Technical College
 3028 Lindbergh Avenue
 Bellingham, WA 98225
 phone (206) 738-3105 ext. 334

Desmond McArdle
 President

WSR 95-01-097
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION
 [Memorandum—December 19, 1994]

The Washington State Human Rights Commission will hold its January regular commission meeting in Lacey, Washington, on January 26 and 27, 1995. The meetings will be held on both days at the North Thurston School District No. 3 Administrative Offices, 305 College Street N.E., Lacey. The meeting on January 26, will be mainly a planning and training session beginning at 7:00 p.m. The regular business meeting on January 27, will begin at 9:00 a.m.

WSR 95-01-098
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION
 [Memorandum—December 19, 1994]

The Washington State Human Rights Commission has scheduled its meetings for 1995 as follows. A work session for the commissioners and required staff will be held the evening prior to each meeting, except for the November and December meetings. The work session will be held on Thursday evening and the meetings will be held on Friday this year, instead of Wednesday evening and Thursday as in previous years.

Date	Location
January 27	Olympia
February 24	Tacoma
March 24	Olympia
April 28	Seattle
May 26	Silverdale
June 23	Spokane
July 28	Bellingham
August 25	Wenatchee
September 29	Yakima

WSR 95-01-103
DEPARTMENT OF ECOLOGY
 [Filed December 20, 1994, 3:49 p.m.]

The Washington State Department of Ecology will be conducting a public hearing on February 8, 1995, at Ecology's Northwest Regional Office, 3190 160th Avenue S.E., Room 1B, Bellevue, WA, at 2:00 p.m. The department is conducting the hearing to solicit comment on proposed revisions to the state implementation plans (SIPs) for the Seattle Duwamish and Tacoma tideflats particulate matter (PM-10) nonattainment areas.

Federally enforceable emission limits for certain industrial facilities and demonstrations of attainment of the PM-10 standard are being adopted into the SIPs to fulfill conditions for approval. Also, a Puget Sound Air Pollution Control Agency (PSAPCA) rule is being included in the SIPs as a contingency measure.

The proposed updates will be available on January 7, 1995. For information on the availability of the document or for a copy of the draft documents prior to the hearings, please contact Lydia Blalock, (206) 407-6860.

*Ecology is an equal opportunity and affirmative action employer. If you have special accommodation needs, please call Lydia Blalock, (206) 407-6860 (voice) or (206) 407-6006 (TDD only).

WSR 95-01-109
EXECUTIVE ORDER
OFFICE OF THE GOVERNOR
 [EO 94-11]

ESTABLISHING A STATE ADVISORY COUNCIL ON HOMELESSNESS AND SUPERSEDING EXECUTIVE ORDER 91-01

WHEREAS, an increasing and unacceptable number of Washington citizens are homeless or at risk of becoming homeless; and

WHEREAS, the factors that contribute to homelessness are many and complex, including a lack of affordable housing, a shortage of family wage jobs, the presence of domestic violence, a shortage of special needs housing with support services, the problems of alcoholism, substance abuse, and mental illness and the growing number of troubled youth; and

WHEREAS, private businesses, charitable organizations, cities, counties, the federal government, the state of Washington and private citizens are investing resources to assist people who are homeless and to prevent homelessness, recognizing that homelessness is a multifaceted problem requiring coordination of resources and efforts from the private sector and from all levels of government;

NOW THEREFORE, I, Mike Lowry, Governor of the state of Washington, by virtue of the authority vested in me, do hereby re-establish a State Advisory Council on Homelessness as follows:

1. The Council shall consist of not more than 20 members, appointed by the Governor, who represent private businesses, nonprofit organizations that provide services to homeless people, public housing authorities, cities, counties, the federal government, youth and at least one person who is, or has been, homeless.

Membership will also include the directors or designees of the Department of Community, Trade, and Economic Development; the Department of Social and Health Services; the Employment Security Department; the Department of Health; the Department of General Administration; the Department of Veterans Affairs; the Department of Corrections; the Office of Financial Management; the State Board of Community and Technical Colleges; and the Office of the Superintendent of Public Instruction. State agency directors shall name designees who have the authority to make policy or to implement changes. A member of the Governor's Executive Policy Staff shall also serve on the Council.

The members of the Council who do not represent state agencies shall be appointed for four-year terms. The terms of six initial appointees shall be for two years, and the terms of six shall be for three years.

2. The Governor shall appoint the chair of the Council. A vice chair shall be selected by the Council from among the members. Members shall serve without compensation except for reimbursement for travel expenses in accordance with Department of Community, Trade, and Economic Development policies. Staffing to the Council shall be provided by the Department of Community, Trade, and Economic Development with assistance from member state agencies.
3. Each state agency shall cooperate with the Council and furnish it with such information as necessary to meet the responsibilities spelled out below.
4. The Council shall meet at least quarterly in a location agreed upon by the members and the Department of Community, Trade, and Economic Development.
5. The Council shall carry out the following responsibilities:
 - a. Make annual policy recommendations to the Governor and to the Affordable Housing Advisory Board on ways to enhance the state's ability to respond to the needs of people who are homeless, who are at risk of becoming homeless, or who have been homeless. As part of the recommendation process, the Council will review the status of actions recommended in the 1990 report of the Governor's Task Force on Homelessness.
 - b. Increase the awareness of homelessness issues at state and local government agencies and local organizations that provide services to people who are homeless, and promote training for employees

to better serve people who are homeless, who are at risk of becoming homeless, or who have been homeless.

- c. Provide the opportunity for an integrated state agency approach regarding the issue of homelessness, and promote interagency cooperation in distributing public information to educate the general public about the needs of people who are homeless, and provide homeless people and service providers with current information about available resources.
 - d. Promote the public will to end homelessness.
6. This Executive Order shall take effect immediately, and shall supersede Executive Order 91-01, which is hereby rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia on this 14th day of December, A.D., nineteen hundred and ninety-four.

Mike Lowry
Governor of Washington

BY THE GOVERNOR:

Donald F. Whiting
Assistant Secretary of State

WSR 95-01-110
NOTICE OF PUBLIC MEETINGS
PENINSULA COLLEGE
[Memorandum—December 19, 1994]

The board of trustees of Community College District No. 1, Peninsula College, meeting in regular session on October 11, 1994, adopted the following schedule of regular meetings for the calendar year 1995:

January 10	1:00 p.m.	Port Angeles
February 7	1:00 p.m.	Port Angeles
March 14	1:00 p.m.	Port Angeles
April 11	1:00 p.m.	Port Townsend
May 9	1:00 p.m.	Port Angeles
June 13	1:00 p.m.	Port Angeles
July - no meeting		
August 8	1:00 p.m.	Forks
September 12	1:00 p.m.	Port Angeles
October 10	1:00 p.m.	Sequim
November 14	1:00 p.m.	Port Angeles
December 12	1:00 p.m.	Port Angeles

All meetings in Port Angeles will be held in the board room at Peninsula College.

MISCELLANEOUS

WSR 95-01-111
NOTICE OF PUBLIC MEETINGS
UNIVERSITY OF WASHINGTON
 [Memorandum—December 20, 1994]

In accordance with RCW 42.30.075, 28B.20.105, 28B.20.130, and WAC 478-04-030, the board of regents of the University of Washington established the following meeting schedule for 1995 at its regular meeting held December 16, 1994.

Day	Date
Friday	January 20
Friday	February 17
Friday	March 17
Friday	April 21
Friday	May 19
Friday	June 9
Friday	July 21
Friday	August 18
Friday	September 22
Friday	October 27
Friday	November 17
Friday	December 15

The meetings will commence at 1:00 p.m. unless public notice is given to the contrary. The meetings will be held in Room 301 Administration Building on the University of Washington main campus, Seattle, Washington, unless another location is established and public notice given in accordance with chapter 42.30 RCW.

To request disability accommodations, contact the Office of the ADA Coordinator, at least ten days in advance of the event. 543-6450 (voice); 543-6452 (TDD); 685-3885 (FAX); access@u.washington.edu (E-mail).

WSR 95-01-112
RULES COORDINATOR
CLARK COLLEGE

[Filed December 21, 1994, 9:58 a.m.]

The appointed rules coordinator for Clark College is Janelle K. Farley, executive assistant to the president.

Earl P. Johnson
 President

WSR 95-01-117
NOTICE OF PUBLIC MEETINGS
EXECUTIVE ETHICS BOARD
 [Memorandum—December 21, 1994]

The Executive Ethics Board will held its regular meetings in 1995 bimonthly on the second Friday of the month. Under this schedule the board will meet on the following dates:

- January 13
- March 10
- May 12
- July 14
- September 8
- November 10*

Meetings will commence at 9:30 a.m. Interested parties may call the clerk of the Executive Ethics Board at (206) 586-3751 for the site of each meeting.

Individuals requiring reasonable accommodations should contact the clerk of the board. Such requests should usually be made at least ten working days in advance of the scheduled meeting date.

*This meeting may be subject to change since November 10, 1995, is a state holiday.

WSR 95-01-122
ATTORNEY GENERAL'S OPINION

[Filed December 21, 1994, 11:27 a.m.]

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

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by January 11, 1995. This is not the due date by which comments must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by January 11, 1995, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (206) 753-4114, or by writing to the Solicitor General, Office of the Attorney General, 905 Plum Street, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested; information about the Attorney General's Opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

The Attorney General's Office seeks public input on the following opinion requests:

94-12-4 Andy Miller, Benton County Prosecuting Attorney

Is property that is jointly owned by both public and private entities exempt from property tax pursuant to RCW 84.36.010?

WSR 95-01-130
NOTICE OF PUBLIC MEETINGS
FOREST PRACTICES BOARD
 [Memorandum—December 21, 1994]

Per WAC 222-08-040, the Forest Practices Board will hold regular meetings on:

MISCELLANEOUS

February 8, 1995
May 10, 1995
August 9, 1995
November 8, 1995

The board has also scheduled special meetings in 1995. This schedule is tentative and is subject to change. The dates being held for special meetings are:

January 13 or 19, 1995
March 8, 1995
April 13-14, 1995
June 14, 1995
July 12, 1995
September 13, 1995
October 11, 1995
December 13, 1995

Most of the meetings will be held at the Natural Resources Building, Olympia, Room 172. Notice of other meeting locations will be published in the Register.

For more information on regular and/or special meetings, contact the Forest Practices Board recording secretary at:

FPB Recording Secretary
DNR-Forest Practices Division
P.O. Box 47012
Olympia, WA 98504-7012
Phone (360) 902-1413
FAX (360) 902-1784

MISCELLANEOUS

Table of WAC Sections Affected

KEY TO TABLE

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.

Symbols:

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an 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
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of 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

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 identify the document within the issue.

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
1-21-010	AMD-P	94-09-045	16-23-020	AMD	94-23-120	16-167-020	NEW-P	94-22-069
1-21-010	AMD	94-12-075	16-23-170	PREP	94-19-078	16-167-030	NEW-P	94-22-069
1-21-170	AMD-P	94-09-045	16-23-170	AMD-P	94-20-106	16-167-040	NEW-P	94-22-069
1-21-170	AMD	94-12-075	16-23-170	AMD	94-23-120	16-167-050	NEW-P	94-22-069
4-25-020	REP-P	94-13-060	16-32-009	NEW-P	94-09-072	16-167-060	NEW-P	94-22-069
4-25-020	REP	94-23-079	16-32-009	NEW	94-12-053	16-200-805	AMD-P	94-05-060
4-25-030	REP-P	94-13-060	16-32-010	REP-P	94-09-072	16-200-805	AMD	94-08-034
4-25-030	REP	94-23-079	16-32-010	REP	94-12-053	16-212-020	AMD-P	94-06-058
4-25-080	REP-P	94-13-060	16-32-011	NEW-P	94-09-072	16-212-020	AMD	94-10-002
4-25-080	REP	94-23-079	16-32-011	NEW	94-12-053	16-212-030	AMD-P	94-06-058
4-25-185	REP	94-02-070	16-38-001	REP	94-05-009	16-212-030	AMD	94-10-002
4-25-186	REP	94-02-070	16-38-010	REP	94-05-009	16-212-060	AMD-P	94-06-058
4-25-187	REP	94-02-070	16-38-020	REP	94-05-009	16-212-060	AMD	94-10-002
4-25-188	REP	94-02-070	16-54-035A	NEW-E	94-09-004	16-212-070	AMD-P	94-06-058
4-25-270	REP-P	94-13-060	16-54-071	PREP	94-19-079	16-212-070	AMD	94-10-002
4-25-270	REP	94-23-079	16-54-071	PREP	94-19-080	16-212-080	AMD-P	94-06-058
4-25-280	REP	94-02-070	16-54-071	AMD-P	94-20-107	16-212-080	AMD	94-10-002
4-25-300	REP	94-02-070	16-54-071	AMD	94-23-121	16-212-082	AMD-P	94-06-058
4-25-320	REP	94-02-070	16-54-145	PREP	94-19-079	16-212-082	AMD	94-10-002
4-25-410	NEW-P	94-13-059	16-54-145	PREP	94-19-080	16-219	AMD-C	94-08-033
4-25-410	NEW	94-23-071	16-54-145	NEW-P	94-20-107	16-219-015	AMD-P	94-05-092
4-25-521	NEW	94-02-068	16-54-145	NEW	94-23-121	16-219-015	AMD	94-09-028
4-25-522	NEW	94-02-068	16-59-010	PREP	94-19-081	16-219-015	REP-P	94-21-085
4-25-625	NEW-P	94-13-062	16-59-010	AMD-P	94-20-105	16-219-015	REP	95-01-075
4-25-625	NEW	94-23-069	16-59-010	AMD	94-23-122	16-219-016	NEW-P	94-21-086
4-25-627	NEW-P	94-13-062	16-59-030	PREP	94-19-081	16-219-016	NEW	95-01-076
4-25-627	NEW	94-23-069	16-59-030	AMD-P	94-20-105	16-219-017	NEW-P	94-05-092
4-25-710	PREP	94-18-052	16-59-030	AMD	94-23-122	16-219-017	NEW	94-09-028
4-25-780	NEW	94-10-039	16-59-070	PREP	94-19-081	16-219-017	AMD-E	94-15-050
4-25-810	NEW	94-02-072	16-59-070	AMD-P	94-20-105	16-219-017	REP-P	94-21-085
4-25-811	NEW	94-02-072	16-59-070	AMD	94-23-122	16-219-017	REP	95-01-075
4-25-812	NEW	94-02-072	16-86-015	AMD	94-05-008	16-219-018	NEW-P	94-05-092
4-25-813	NEW	94-02-072	16-101-700	AMD-P	94-22-067	16-219-018	NEW	94-09-028
4-25-820	NEW	94-02-071	16-103-001	AMD	94-05-040	16-219-018	REP-P	94-21-085
4-25-910	NEW-P	94-13-061	16-103-010	NEW-E	94-13-074	16-219-018	REP	95-01-075
4-25-910	NEW	94-23-070	16-103-010	NEW-P	94-14-034	16-219-020	AMD-P	94-05-092
4-25-920	NEW	94-02-069	16-103-010	NEW-W	94-14-060	16-219-020	AMD	94-09-028
16-22-010	PREP	94-19-077	16-103-010	NEW-P	94-15-056	16-219-020	REP-P	94-21-085
16-22-010	AMD-P	94-20-104	16-103-010	NEW	94-19-011	16-219-020	REP	95-01-075
16-22-010	AMD	94-23-119	16-103-020	NEW-E	94-13-074	16-219-022	NEW-P	94-05-092
16-22-030	PREP	94-19-077	16-103-020	NEW-P	94-14-034	16-219-022	NEW	94-09-028
16-22-030	AMD-P	94-20-104	16-103-020	NEW-W	94-14-060	16-219-022	REP-P	94-21-085
16-22-030	AMD	94-23-119	16-103-020	NEW-P	94-15-056	16-219-022	REP	95-01-075
16-22-050	PREP	94-19-077	16-103-020	NEW	94-19-011	16-219-025	AMD-P	94-05-092
16-22-050	AMD-P	94-20-104	16-108-010	AMD-P	94-05-074	16-219-025	AMD	94-09-028
16-22-050	AMD	94-23-119	16-108-010	AMD-W	94-07-038	16-219-025	REP-P	94-21-085
16-23-010	PREP	94-19-078	16-125	PREP	94-16-100	16-219-025	REP	95-01-075
16-23-010	AMD-P	94-20-106	16-147-010	NEW-P	94-22-068	16-219-027	NEW-P	94-05-092
16-23-010	AMD	94-23-120	16-147-020	NEW-P	94-22-068	16-219-027	NEW	94-09-028
16-23-020	PREP	94-19-078	16-147-030	NEW-P	94-22-068	16-219-027	AMD-E	94-15-050
16-23-020	AMD-P	94-20-106	16-167-010	NEW-P	94-22-069	16-219-027	REP-P	94-21-085

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
16-219-027	REP	95-01-075	16-316-0901	AMD-P	94-09-046	16-602-027	NEW-P	94-09-052
16-219-029	NEW-P	94-05-092	16-316-0901	AMD	94-12-046	16-602-027	NEW	94-12-045
16-219-029	NEW	94-09-028	16-316-105	AMD-P	94-09-046	16-604-008	NEW-P	94-10-074
16-219-029	REP-P	94-21-085	16-316-105	AMD	94-12-046	16-604-008	NEW	94-13-069
16-219-029	REP	95-01-075	16-316-230	AMD-P	94-09-046	16-604-010	AMD-P	94-10-074
16-219-030	REP-P	94-05-092	16-316-230	AMD	94-12-046	16-604-010	AMD	94-13-069
16-219-030	REP	94-09-028	16-316-350	AMD-P	94-09-046	16-604-012	NEW-P	94-10-074
16-219-031	NEW-P	94-05-092	16-316-350	AMD	94-12-046	16-604-012	NEW	94-13-069
16-219-031	NEW	94-09-028	16-316-440	AMD-P	94-09-046	16-605A-001	NEW-P	94-10-076
16-219-031	REP-P	94-21-085	16-316-440	AMD	94-12-046	16-605A-001	NEW	94-13-068
16-219-031	REP	95-01-075	16-316-474	AMD-P	94-09-046	16-605A-010	NEW-P	94-10-076
16-219-033	NEW-E	94-15-050	16-316-474	AMD	94-12-046	16-605A-010	NEW	94-13-068
16-219-100	NEW-P	94-05-061	16-316-717	AMD-P	94-09-046	16-620-010	AMD-P	94-10-075
16-219-100	NEW	94-08-035	16-316-717	AMD	94-12-046	16-620-010	AMD	94-13-070
16-219-105	NEW-P	94-05-061	16-316-727	AMD-P	94-09-046	16-620-015	NEW-P	94-10-075
16-219-105	NEW	94-08-035	16-316-727	AMD	94-12-046	16-620-015	NEW	94-13-070
16-221-001	REP	94-03-024	16-316-800	AMD-P	94-09-046	16-620-270	REP-P	94-10-075
16-221-010	REP	94-03-024	16-316-800	AMD	94-12-046	16-620-270	REP	94-13-070
16-221-020	REP	94-03-024	16-316-820	AMD-P	94-09-046	16-620-280	AMD-P	94-10-075
16-221-030	REP	94-03-024	16-316-820	AMD	94-12-046	16-620-280	AMD	94-13-070
16-221-040	REP	94-03-024	16-316-830	AMD-P	94-09-046	16-620-290	AMD-P	94-10-075
16-223-001	REP	94-03-023	16-316-830	AMD	94-12-046	16-620-290	AMD	94-13-070
16-223-002	REP	94-03-023	16-324-640	REP-P	94-01-110	16-620-340	AMD-P	94-10-075
16-223-004	REP	94-03-023	16-324-640	REP	94-11-070	16-620-340	AMD	94-13-070
16-223-005	REP	94-03-023	16-400-210	AMD-E	94-04-091	16-620-380	AMD-P	94-10-075
16-223-010	REP	94-03-023	16-400-210	AMD-P	94-13-041	16-620-380	AMD	94-13-070
16-223-020	REP	94-03-023	16-400-210	AMD	94-16-060	16-620-400	NEW-P	94-10-075
16-223-030	REP	94-03-023	16-403-145	AMD-P	94-05-050	16-620-400	NEW	94-13-070
16-223-040	REP	94-03-023	16-403-145	AMD	94-07-133	16-620-410	NEW-P	94-10-075
16-223-050	REP	94-03-023	16-403-150	AMD-P	94-05-050	16-620-410	NEW	94-13-070
16-223-060	REP	94-03-023	16-403-150	AMD	94-07-133	16-620-410	AMD-P	94-09-054
16-223-070	REP	94-03-023	16-403-290	AMD-P	94-05-050	16-675-010	AMD	94-12-035
16-228-010	PREP	94-20-110	16-403-290	AMD	94-07-133	16-675-029	NEW-P	94-09-054
16-228-010	AMD-P	94-21-087	16-415-010	REP	94-03-026	16-675-029	NEW	94-12-035
16-228-010	AMD	95-01-077	16-415-020	REP	94-03-026	16-675-030	AMD-P	94-09-054
16-228-235	REP-P	94-09-017	16-415-030	REP	94-03-026	16-675-030	AMD	94-12-035
16-228-235	REP	94-13-195	16-415-040	REP	94-03-026	16-675-039	NEW-P	94-09-054
16-228-245	REP-P	94-09-017	16-432-010	REP	94-03-025	16-675-039	NEW	94-12-035
16-228-245	REP	94-13-195	16-432-020	REP	94-03-025	16-675-040	AMD-P	94-09-054
16-228-250	REP-P	94-09-017	16-432-030	REP	94-03-025	16-675-040	AMD	94-12-035
16-228-250	REP	94-13-195	16-432-040	REP	94-03-025	16-678-001	REP	94-03-022
16-228-255	REP-P	94-09-017	16-432-050	REP	94-03-025	16-678-010	REP	94-03-022
16-228-255	REP	94-13-195	16-432-060	REP	94-03-025	16-680-001	REP	94-03-021
16-228-260	REP-P	94-09-017	16-432-070	REP	94-03-025	16-680-010	REP	94-03-021
16-228-260	REP	94-13-195	16-432-080	REP	94-03-025	16-680-015	REP	94-03-021
16-228-265	REP-P	94-09-017	16-432-090	REP	94-03-025	16-694-001	AMD-P	94-09-055
16-228-265	REP	94-13-195	16-432-100	REP	94-03-025	16-694-001	AMD	94-12-034
16-228-275	REP-P	94-09-017	16-432-110	REP	94-03-025	16-750	PREP	94-20-100
16-228-275	REP	94-13-195	16-432-120	REP	94-03-025	16-750-011	AMD-P	94-24-070
16-228-600	PREP	94-18-125	16-432-130	REP	94-03-025	16-750-015	AMD-P	94-24-070
16-228-600	AMD-P	94-21-088	16-470-92005	NEW-C	94-06-003	44-06	AMD	94-13-039
16-228-600	AMD	95-01-019	16-470-92005	NEW-W	94-06-051	44-06-010	AMD-P	94-06-050
16-228-650	PREP	94-20-110	16-470-92010	NEW-C	94-06-003	44-06-010	AMD	94-13-039
16-228-650	NEW-P	94-21-087	16-470-92010	NEW-W	94-06-051	44-06-020	AMD-P	94-06-050
16-228-650	NEW	95-01-077	16-470-92015	NEW-C	94-06-003	44-06-020	AMD	94-13-039
16-228-655	PREP	94-20-110	16-470-92015	NEW-W	94-06-051	44-06-030	AMD-P	94-06-050
16-228-655	NEW-P	94-21-087	16-470-92020	NEW-C	94-06-003	44-06-030	AMD	94-13-039
16-228-655	NEW	95-01-077	16-470-92020	NEW-W	94-06-051	44-06-040	AMD-P	94-06-050
16-228-660	PREP	94-20-110	16-470-92025	NEW-C	94-06-003	44-06-040	AMD	94-13-039
16-228-660	NEW-P	94-21-087	16-470-92025	NEW-W	94-06-051	44-06-050	AMD-P	94-06-050
16-228-660	NEW	95-01-077	16-470-92030	NEW-C	94-06-003	44-06-050	AMD	94-13-039
16-304-040	AMD-P	94-09-046	16-470-92030	NEW-W	94-06-051	44-06-060	AMD-P	94-06-050
16-304-040	AMD	94-12-046	16-470-92035	NEW-C	94-06-003	44-06-060	AMD	94-13-039
16-304-050	AMD-P	94-09-046	16-470-92035	NEW-W	94-06-051	44-06-070	AMD-P	94-06-050
16-304-050	AMD	94-12-046	16-470-92040	NEW-C	94-06-003	44-06-070	AMD	94-13-039
16-304-110	AMD-P	94-09-046	16-470-92040	NEW-W	94-06-051	44-06-080	AMD-P	94-06-050
16-304-110	AMD	94-12-046	16-482-016	AMD-P	94-01-111	44-06-080	AMD	94-13-039
16-304-130	AMD-P	94-09-046	16-482-016	AMD	94-11-069	44-06-085	NEW-P	94-06-050
16-304-130	AMD	94-12-046	16-514-020	AMD-P	94-05-073	44-06-085	NEW	94-13-039
16-313-015	AMD-P	94-09-046	16-514-020	AMD	94-08-091	44-06-090	AMD-P	94-06-050
16-313-015	AMD	94-12-046	16-580-040	AMD-P	94-05-066	44-06-090	AMD	94-13-039
16-313-035	AMD-P	94-09-046	16-580-040	AMD	94-08-090	44-06-110	AMD-P	94-06-050
16-313-035	AMD	94-12-046	16-602-025	NEW	94-05-049	44-06-110	AMD	94-13-039

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
44-06-120	AMD-P	94-06-050	51-11-0530	AMD	95-01-126
44-06-120	AMD	94-13-039	51-11-0601	AMD	94-05-059
44-06-130	AMD-P	94-06-050	51-11-0602	AMD	94-05-059
44-06-130	AMD-W	94-19-087	51-11-0603	AMD	94-05-059
44-06-140	AMD-P	94-06-050	51-11-0625	AMD	94-05-059
44-06-140	AMD	94-13-039	51-11-0625	AMD-P	94-16-116
44-06-150	NEW-P	94-06-050	51-11-0625	AMD	95-01-126
44-06-150	NEW	94-13-039	51-11-0626	AMD	94-05-059
44-06-160	NEW-P	94-06-050	51-11-0626	AMD-P	94-16-116
44-06-160	NEW	94-13-039	51-11-0626	AMD	95-01-126
50-60	PREP	94-17-125	51-11-0627	AMD	94-05-059
50-60-010	NEW	94-03-009	51-11-0627	AMD-P	94-16-116
50-60-020	NEW	94-03-009	51-11-0627	AMD	95-01-126
50-60-030	NEW	94-03-009	51-11-0628	AMD	94-05-059
50-60-040	NEW	94-03-009	51-11-0628	AMD-P	94-16-116
50-60-040	AMD-E	94-17-054	51-11-0628	AMD	95-01-126
50-60-040	AMD-P	94-20-128	51-11-0629	AMD	94-05-059
50-60-040	AMD	94-23-033	51-11-0629	AMD-P	94-16-116
50-60-045	NEW-E	94-17-054	51-11-0629	AMD	95-01-126
50-60-045	NEW-P	94-20-128	51-11-0630	AMD	94-05-059
50-60-045	NEW	94-23-033	51-11-0630	AMD-P	94-16-116
50-60-050	NEW	94-03-009	51-11-0630	AMD	95-01-126
50-60-060	NEW	94-03-009	51-11-0900	AMD-P	94-16-116
50-60-060	AMD-E	94-17-054	51-11-0900	AMD	95-01-126
50-60-060	AMD-P	94-20-128	51-11-1006	AMD-E	94-05-007
50-60-060	AMD	94-23-033	51-11-1006	AMD	94-05-059
50-60-070	NEW	94-03-009	51-11-1011	NEW-E	94-05-007
50-60-080	NEW	94-03-009	51-11-1143	AMD-P	94-16-116
50-60-080	AMD-E	94-17-054	51-11-1143	AMD	95-01-126
50-60-080	AMD-P	94-20-128	51-13	PREP	94-12-016
50-60-080	AMD	94-23-033	51-13-106	AMD-P	94-16-117
50-60-085	NEW-E	94-17-054	51-13-106	AMD	95-01-128
50-60-085	NEW-P	94-20-128	51-13-201	AMD-P	94-16-117
50-60-085	NEW	94-23-033	51-13-201	AMD	95-01-128
50-60-090	NEW	94-03-009	51-13-302	AMD-P	94-16-117
50-60-100	NEW	94-03-009	51-13-302	AMD	95-01-128
50-60-110	NEW	94-03-009	51-13-304	AMD-P	94-16-117
50-60-120	NEW	94-03-009	51-13-304	AMD	95-01-128
50-60-130	NEW	94-03-009	51-13-402	AMD-P	94-16-117
50-60-140	NEW	94-03-009	51-13-402	AMD	95-01-128
50-60-150	NEW	94-03-009	51-13-501	AMD-P	94-16-117
50-60-160	NEW	94-03-009	51-13-501	AMD	95-01-128
50-60-165	NEW-E	94-17-054	51-13-502	AMD-P	94-16-117
50-60-165	NEW-P	94-20-128	51-13-502	AMD	95-01-128
50-60-165	NEW	94-23-033	51-26-0909	NEW-P	94-16-115
50-60-170	NEW	94-03-009	51-26-0909	NEW	95-01-124
50-60-170	AMD-E	94-17-054	51-26-1007	NEW-P	94-16-115
50-60-170	AMD-P	94-20-128	51-26-1007	NEW	95-01-124
50-60-170	AMD	94-23-033	51-26-1009	NEW-P	94-16-115
50-60-180	NEW	94-03-009	51-26-1009	NEW	95-01-124
51-04-015	AMD	94-05-058	51-26-1020	NEW-P	94-16-115
51-04-018	AMD	94-05-058	51-26-1020	NEW	95-01-124
51-04-020	AMD	94-05-058	51-26-1301	NEW-P	94-16-115
51-04-025	AMD	94-05-058	51-26-1301	NEW	95-01-124
51-04-030	AMD-W	94-05-102	51-26-1803	AMD-P	94-16-115
51-04-030	PREP	94-12-015	51-26-1803	AMD	95-01-124
51-04-030	AMD-P	94-16-114	51-26-1810	AMD-P	94-16-115
51-04-030	AMD	95-01-127	51-26-1810	AMD	95-01-124
51-04-060	AMD	94-05-058	51-26-1820	AMD-P	94-16-115
51-11	PREP	94-12-017	51-26-1820	AMD	95-01-124
51-11-0105	AMD-P	94-16-116	51-26-1830	AMD-P	94-16-115
51-11-0105	AMD	95-01-126	51-26-1830	AMD	95-01-124
51-11-0108	AMD-P	94-16-116	51-26-1830	AMD	95-01-124
51-11-0108	AMD	95-01-126	51-26-2200	AMD-P	94-16-115
51-11-0201	AMD	94-05-059	51-26-2200	AMD	95-01-124
51-11-0402	AMD	94-05-059	51-30-001	NEW-P	94-16-143
51-11-0502	AMD-E	94-05-007	51-30-001	NEW	95-01-129
51-11-0502	AMD	94-05-059	51-30-002	NEW-P	94-16-143
51-11-0502	AMD-P	94-16-116	51-30-002	NEW	95-01-129
51-11-0502	AMD	95-01-126	51-30-003	NEW-P	94-16-143
51-11-0525	AMD	94-05-059	51-30-003	NEW	95-01-129
51-11-0527	AMD	94-05-059	51-30-004	NEW-P	94-16-143
51-11-0530	AMD-P	94-16-116	51-30-004	NEW	95-01-129
			51-30-005	NEW-P	94-16-143
			51-30-005	NEW	95-01-129
			51-30-007	NEW-P	94-16-143
			51-30-007	NEW	95-01-129
			51-30-008	NEW-P	94-16-143
			51-30-008	NEW	95-01-129
			51-30-009	NEW-P	94-16-143
			51-30-009	NEW	95-01-129
			51-30-0100	NEW-P	94-16-143
			51-30-0100	NEW	95-01-129
			51-30-0104	NEW-P	94-16-143
			51-30-0104	NEW	95-01-129
			51-30-0200	NEW-P	94-16-143
			51-30-0200	NEW	95-01-129
			51-30-0204	NEW-P	94-16-143
			51-30-0204	NEW	95-01-129
			51-30-0207	NEW-P	94-16-143
			51-30-0207	NEW	95-01-129
			51-30-0217	NEW-P	94-16-143
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			51-30-0220	NEW	95-01-129
			51-30-0300	NEW-P	94-16-143
			51-30-0300	NEW	95-01-129
			51-30-0302	NEW-P	94-16-143
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			51-30-0304	NEW-P	94-16-143
			51-30-0304	NEW	95-01-129
			51-30-0305	NEW-P	94-16-143
			51-30-0305	NEW	95-01-129
			51-30-0307	NEW-P	94-16-143
			51-30-0307	NEW	95-01-129
			51-30-0310	NEW-P	94-16-143
			51-30-0310	NEW	95-01-129
			51-30-0311	NEW-P	94-16-143
			51-30-0313	NEW-P	94-16-143
			51-30-0313	NEW	95-01-129
			51-30-0400	NEW-P	94-16-143
			51-30-0400	NEW	95-01-129
			51-30-0403	NEW-P	94-16-143
			51-30-0403	NEW	95-01-129
			51-30-0405	NEW-P	94-16-143
			51-30-0405	NEW	95-01-129
			51-30-0417	NEW-P	94-16-143
			51-30-0500	NEW-P	94-16-143
			51-30-0500	NEW	95-01-129
			51-30-0502	NEW-P	94-16-143
			51-30-0510	NEW-P	94-16-143
			51-30-0510	NEW	95-01-129
			51-30-0600	NEW-P	94-16-143
			51-30-0600	NEW	95-01-129
			51-30-0601	NEW-P	94-16-143
			51-30-0601	NEW	95-01-129
			51-30-0800	NEW-P	94-16-143
			51-30-0800	NEW	95-01-129
			51-30-0804	NEW-P	94-16-143
			51-30-0804	NEW	95-01-129
			51-30-0900	NEW-P	94-16-143
			51-30-0900	NEW	95-01-129
			51-30-0902	NEW-P	94-16-143
			51-30-0902	NEW	95-01-129
			51-30-0904	NEW-P	94-16-143
			51-30-0904	NEW	95-01-129
			51-30-1000	NEW-P	94-16-143
			51-30-1000	NEW	95-01-129
			51-30-1001	NEW-P	94-16-143
			51-30-1001	NEW	95-01-129
			51-30-1004	NEW-P	94-16-143
			51-30-1004	NEW	95-01-129
			51-30-1005	NEW-P	94-16-143
			51-30-1005	NEW	95-01-129
			51-30-1006	NEW-P	94-16-143
			51-30-1006	NEW	95-01-129
			51-30-1007	NEW-P	94-16-143

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
51-30-1007	NEW	95-01-129	51-30-1200	NEW-P	94-16-143	51-32-0223	NEW	95-01-123
51-30-1009	NEW-P	94-16-143	51-30-1200	NEW	95-01-129	51-32-0300	NEW-P	94-16-118
51-30-1009	NEW	95-01-129	51-30-1203	NEW-P	94-16-143	51-32-0300	NEW	95-01-123
51-30-1014	NEW-P	94-16-143	51-30-1203	NEW	95-01-129	51-32-0327	NEW-P	94-16-118
51-30-1014	NEW	95-01-129	51-30-1600	NEW-P	94-16-143	51-32-0327	NEW	95-01-123
51-30-1019	NEW-P	94-16-143	51-30-1600	NEW	95-01-129	51-32-0500	NEW-P	94-16-118
51-30-1019	NEW	95-01-129	51-30-1614	NEW-P	94-16-143	51-32-0500	NEW	95-01-123
51-30-1030	NEW-P	94-16-143	51-30-1614	NEW	95-01-129	51-32-0504	NEW-P	94-16-118
51-30-1030	NEW	95-01-129	51-30-1700	NEW-P	94-16-143	51-32-0504	NEW	95-01-123
51-30-1100	NEW-P	94-16-143	51-30-1700	NEW	95-01-129	51-32-0600	NEW-P	94-16-118
51-30-1100	NEW-S	94-18-094	51-30-1702	NEW-P	94-16-143	51-32-0600	NEW	95-01-123
51-30-1100	NEW	95-01-129	51-30-1702	NEW	95-01-129	51-32-0601	NEW-P	94-16-118
51-30-1101	NEW-P	94-16-143	51-30-1900	NEW-P	94-16-143	51-32-0601	NEW	95-01-123
51-30-1101	NEW-S	94-18-094	51-30-1900	NEW	95-01-129	51-32-0605	NEW-P	94-16-118
51-30-1101	NEW	95-01-129	51-30-1909	NEW-P	94-16-143	51-32-0605	NEW	95-01-123
51-30-1102	NEW-P	94-16-143	51-30-1909	NEW	95-01-129	51-32-1300	NEW-P	94-16-118
51-30-1102	NEW-S	94-18-094	51-30-2200	NEW-P	94-16-143	51-32-1300	NEW	95-01-123
51-30-1102	NEW	95-01-129	51-30-2200	NEW	95-01-129	51-32-1312	NEW-P	94-16-118
51-30-1103	NEW-P	94-16-143	51-30-2211	NEW-P	94-16-143	51-32-1312	NEW	95-01-123
51-30-1103	NEW-S	94-18-094	51-30-2211	NEW	95-01-129	51-32-1313	NEW-P	94-16-118
51-30-1103	NEW	95-01-129	51-30-2400	NEW-P	94-16-143	51-32-1313	NEW	95-01-123
51-30-1104	NEW-P	94-16-143	51-30-2400	NEW	95-01-129	51-34	NEW-C	94-18-093
51-30-1104	NEW-S	94-18-094	51-30-2406	NEW-P	94-16-143	51-34-001	NEW-P	94-16-113
51-30-1104	NEW	95-01-129	51-30-2406	NEW	95-01-129	51-34-001	NEW	95-01-125
51-30-1105	NEW-P	94-16-143	51-30-2900	NEW-P	94-16-143	51-34-002	NEW-P	94-16-113
51-30-1105	NEW-S	94-18-094	51-30-2900	NEW	95-01-129	51-34-002	NEW	95-01-125
51-30-1105	NEW	95-01-129	51-30-2902	NEW-P	94-16-143	51-34-003	NEW-P	94-16-113
51-30-1106	NEW-P	94-16-143	51-30-2902	NEW	95-01-129	51-34-003	NEW	95-01-125
51-30-1106	NEW-S	94-18-094	51-30-2903	NEW-P	94-16-143	51-34-007	NEW-P	94-16-113
51-30-1106	NEW	95-01-129	51-30-2903	NEW	95-01-129	51-34-007	NEW	95-01-125
51-30-1107	NEW-P	94-16-143	51-30-2904	NEW-P	94-16-143	51-34-008	NEW-P	94-16-113
51-30-1107	NEW-S	94-18-094	51-30-2904	NEW	95-01-129	51-34-008	NEW	95-01-125
51-30-1107	NEW	95-01-129	51-30-2910	NEW-P	94-16-143	51-34-0200	NEW-P	94-16-113
51-30-1108	NEW-P	94-16-143	51-30-2910	NEW	95-01-129	51-34-0200	NEW	95-01-125
51-30-1108	NEW-S	94-18-094	51-30-3400	NEW-P	94-16-143	51-34-0206	NEW-P	94-16-113
51-30-1108	NEW	95-01-129	51-30-3400	NEW	95-01-129	51-34-0206	NEW	95-01-125
51-30-1109	NEW-P	94-16-143	51-30-3404	NEW-P	94-16-143	51-34-0216	NEW-P	94-16-113
51-30-1109	NEW-S	94-18-094	51-30-3404	NEW	95-01-129	51-34-0216	NEW	95-01-125
51-30-1109	NEW	95-01-129	51-30-93115	NEW-P	94-16-143	51-34-0219	NEW-P	94-16-113
51-30-1110	NEW-P	94-16-143	51-30-93115	NEW-S	94-18-094	51-34-0219	NEW	95-01-125
51-30-1110	NEW-S	94-18-094	51-30-93115	NEW	95-01-129	51-34-0223	NEW-P	94-16-113
51-30-1110	NEW	95-01-129	51-30-93116	NEW-P	94-16-143	51-34-0223	NEW	95-01-125
51-30-1111	NEW-P	94-16-143	51-30-93116	NEW-S	94-18-094	51-34-0900	NEW-P	94-16-113
51-30-1111	NEW-S	94-18-094	51-30-93116	NEW	95-01-129	51-34-0900	NEW	95-01-125
51-30-1111	NEW	95-01-129	51-30-93117	NEW-P	94-16-143	51-34-0901	NEW-P	94-16-113
51-30-1112	NEW-P	94-16-143	51-30-93117	NEW-S	94-18-094	51-34-0901	NEW	95-01-125
51-30-1112	NEW-S	94-18-094	51-30-93117	NEW	95-01-129	51-34-0902	NEW-P	94-16-113
51-30-1112	NEW	95-01-129	51-30-93118	NEW-P	94-16-143	51-34-0902	NEW	95-01-125
51-30-1113	NEW-P	94-16-143	51-30-93118	NEW-S	94-18-094	51-34-1000	NEW-P	94-16-113
51-30-1113	NEW-S	94-18-094	51-30-93118	NEW	95-01-129	51-34-1000	NEW	95-01-125
51-30-1113	NEW	95-01-129	51-30-93119	NEW-P	94-16-143	51-34-1003	NEW-P	94-16-113
51-30-1114	NEW-P	94-16-143	51-30-93119	NEW-S	94-18-094	51-34-1003	NEW	95-01-125
51-30-1114	NEW-S	94-18-094	51-30-93119	NEW	95-01-129	51-34-1007	NEW-P	94-16-113
51-30-1114	NEW	95-01-129	51-30-93120	NEW-P	94-16-143	51-34-2500	NEW-P	94-16-113
51-30-1115	NEW-P	94-16-143	51-30-93120	NEW-S	94-18-094	51-34-2500	NEW	95-01-125
51-30-1120	NEW-P	94-16-143	51-30-93120	NEW	95-01-129	51-34-2501	NEW-P	94-16-113
51-30-1120	NEW-S	94-18-094	51-32-001	NEW-P	94-16-118	51-34-2501	NEW	95-01-125
51-30-1120	NEW	95-01-129	51-32-001	NEW	95-01-123	51-34-5200	NEW-P	94-16-113
51-30-1121	NEW-P	94-16-143	51-32-002	NEW-P	94-16-118	51-34-5200	NEW	95-01-125
51-30-1121	NEW-S	94-18-094	51-32-002	NEW	95-01-123	51-34-5201	NEW-P	94-16-113
51-30-1121	NEW	95-01-129	51-32-003	NEW-P	94-16-118	51-34-5201	NEW	95-01-125
51-30-1122	NEW-P	94-16-143	51-32-003	NEW	95-01-123	51-34-5204	NEW-P	94-16-113
51-30-1122	NEW-S	94-18-094	51-32-004	NEW-P	94-16-118	51-34-5204	NEW	95-01-125
51-30-1122	NEW	95-01-129	51-32-004	NEW	95-01-123	51-34-6100	NEW-P	94-16-113
51-30-1123	NEW-P	94-16-143	51-32-005	NEW-P	94-16-118	51-34-6100	NEW	95-01-125
51-30-1123	NEW-S	94-18-094	51-32-005	NEW	95-01-123	51-34-6103	NEW-P	94-16-113
51-30-1123	NEW	95-01-129	51-32-007	NEW-P	94-16-118	51-34-6103	NEW	95-01-125
51-30-1124	NEW-P	94-16-143	51-32-007	NEW	95-01-123	51-34-6104	NEW-P	94-16-113
51-30-1124	NEW-S	94-18-094	51-32-008	NEW-P	94-16-118	51-34-6104	NEW	95-01-125
51-30-1124	NEW	95-01-129	51-32-008	NEW	95-01-123	51-34-6105	NEW-P	94-16-113
51-30-1125	NEW-P	94-16-143	51-32-0200	NEW-P	94-16-118	51-34-6105	NEW	95-01-125
51-30-1125	NEW-S	94-18-094	51-32-0200	NEW	95-01-123	51-34-6106	NEW-P	94-16-113
51-30-1125	NEW	95-01-129	51-32-0223	NEW-P	94-16-118	51-34-6106	NEW	95-01-125

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
51-34-6107	NEW-P	94-16-113	51-35-52540	NEW	95-01-125	67-25-384	AMD-P	94-24-068
51-34-6107	NEW	95-01-125	51-35-52550	NEW	95-01-125	67-25-385	REP-P	94-24-068
51-34-7800	NEW-P	94-16-113	51-35-52560	NEW	95-01-125	67-25-388	AMD-P	94-24-068
51-34-7800	NEW	95-01-125	51-35-52570	NEW	95-01-125	67-25-390	AMD-P	94-24-068
51-34-7802	NEW-P	94-16-113	51-35-52580	NEW	95-01-125	67-25-392	REP-P	94-24-068
51-34-7802	NEW	95-01-125	51-35-52590	NEW	95-01-125	67-25-394	AMD-P	94-24-068
51-34-7900	NEW-P	94-16-113	51-35-52600	NEW-P	94-16-113	67-25-396	AMD-P	94-24-068
51-34-7900	NEW	95-01-125	51-35-52600	NEW	95-01-125	67-25-398	NEW-P	94-24-068
51-34-7901	NEW-P	94-16-113	55-01-010	AMD-E	94-06-032	67-25-399	NEW-P	94-24-068
51-34-7902	NEW-P	94-16-113	55-01-010	AMD-W	94-07-075	67-25-400	AMD-P	94-24-068
51-34-7902	NEW	95-01-125	55-01-010	AMD-E	94-14-017	67-25-404	AMD-P	94-24-068
51-34-7904	NEW-P	94-16-113	55-01-010	AMD-E	94-22-015	67-25-408	AMD-P	94-24-068
51-34-7904	NEW	95-01-125	55-01-020	AMD-E	94-06-032	67-25-412	AMD-P	94-24-068
51-34-8000	NEW-P	94-16-113	55-01-020	AMD-W	94-07-075	67-25-416	AMD-P	94-24-068
51-34-8000	NEW	95-01-125	55-01-020	AMD-E	94-14-017	67-25-418	NEW-P	94-24-068
51-34-8001	NEW-P	94-16-113	55-01-020	AMD-E	94-22-015	67-25-420	REP-P	94-24-068
51-34-8001	NEW	95-01-125	55-01-030	AMD-E	94-06-032	67-25-428	REP-P	94-24-068
51-34-8003	NEW-P	94-16-113	55-01-030	AMD-W	94-07-075	67-25-432	AMD-P	94-24-068
51-34-8003	NEW	95-01-125	55-01-030	AMD-E	94-14-017	67-25-436	NEW-P	94-24-068
51-34-9100	NEW-P	94-16-113	55-01-030	AMD-E	94-22-015	67-25-440	AMD-P	94-24-068
51-34-9100	NEW	95-01-125	55-01-040	AMD-E	94-06-032	67-25-444	AMD-P	94-24-068
51-34-9101	NEW-P	94-16-113	55-01-040	AMD-W	94-07-075	67-25-446	AMD-P	94-24-068
51-34-9101	NEW	95-01-125	55-01-040	AMD-E	94-14-017	67-25-448	AMD-P	94-24-068
51-34-9102	NEW-P	94-16-113	55-01-040	AMD-E	94-22-015	67-25-452	AMD-P	94-24-068
51-34-9102	NEW	95-01-125	55-01-050	AMD-E	94-06-032	67-25-500	REP-P	94-24-068
51-34-9103	NEW-P	94-16-113	55-01-050	AMD-W	94-07-075	67-25-505	REP-P	94-24-068
51-34-9103	NEW	95-01-125	55-01-050	AMD-E	94-14-017	67-25-510	REP-P	94-24-068
51-34-9104	NEW-P	94-16-113	55-01-050	AMD-E	94-22-015	67-25-525	REP-P	94-24-068
51-34-9104	NEW	95-01-125	55-01-060	AMD-E	94-06-032	67-25-530	REP-P	94-24-068
51-34-9105	NEW-P	94-16-113	55-01-060	AMD-W	94-07-075	67-25-540	AMD-P	94-24-068
51-34-9105	NEW	95-01-125	55-01-060	AMD-E	94-14-017	67-25-545	AMD-P	94-24-068
51-34-9106	NEW-P	94-16-113	55-01-060	AMD-E	94-22-015	67-25-550	AMD-P	94-24-068
51-34-9106	NEW	95-01-125	55-01-070	AMD-E	94-06-032	67-25-560	AMD-P	94-24-068
51-34-9107	NEW-P	94-16-113	55-01-070	AMD-W	94-07-075	67-25-570	AMD-P	94-24-068
51-34-9107	NEW	95-01-125	55-01-070	AMD-E	94-14-017	67-25-590	AMD-P	94-24-068
51-34-9108	NEW-P	94-16-113	55-01-070	AMD-E	94-22-015	67-35-030	AMD-P	94-07-067
51-34-9108	NEW	95-01-125	55-01-080	AMD-W	94-07-075	67-35-030	AMD	94-11-054
51-35	NEW-C	94-18-093	67-25	PREP	94-16-146	67-35-051	PREP	94-17-001
51-35-001	NEW-P	94-16-113	67-25-005	AMD-P	94-24-068	67-35-051	NEW-P	94-20-032
51-35-001	NEW	95-01-125	67-25-010	AMD-P	94-24-068	67-35-051	NEW	95-01-066
51-35-002	NEW-P	94-16-113	67-25-015	AMD-P	94-24-068	67-35-070	PREP	94-17-001
51-35-002	NEW	95-01-125	67-25-020	AMD-P	94-24-068	67-35-070	AMD-P	94-20-032
51-35-003	NEW-P	94-16-113	67-25-025	AMD-P	94-24-068	67-35-070	AMD	95-01-066
51-35-003	NEW	95-01-125	67-25-030	AMD-P	94-24-068	67-35-072	PREP	94-17-001
51-35-007	NEW-P	94-16-113	67-25-050	AMD-P	94-24-068	67-35-072	AMD-P	94-20-032
51-35-007	NEW	95-01-125	67-25-055	AMD-P	94-24-068	67-35-072	AMD	95-01-066
51-35-008	NEW-P	94-16-113	67-25-056	NEW-P	94-24-068	67-35-230	AMD-P	94-07-067
51-35-008	NEW	95-01-125	67-25-070	AMD-P	94-24-068	67-35-230	AMD-W	94-11-053
51-35-09000	NEW-P	94-16-113	67-25-075	AMD-P	94-24-068	67-35-230	AMD-P	94-12-072
51-35-52000	NEW-P	94-16-113	67-25-077	AMD-P	94-24-068	67-35-230	AMD	94-15-052
51-35-52000	NEW	95-01-125	67-25-080	AMD-P	94-24-068	67-35-910	PREP	94-17-001
51-35-52400	NEW-P	94-16-113	67-25-085	AMD-P	94-24-068	67-35-910	AMD-P	94-20-032
51-35-52400	NEW	95-01-125	67-25-090	AMD-P	94-24-068	67-35-910	AMD	95-01-066
51-35-52404	NEW-P	94-16-113	67-25-095	AMD-P	94-24-068	82-50-021	AMD-P	94-10-055
51-35-52411	NEW-P	94-16-113	67-25-100	AMD-P	94-24-068	82-50-021	AMD	94-13-097
51-35-52417	NEW-P	94-16-113	67-25-105	REP-P	94-24-068	106-08	PREP	94-15-080
51-35-52440	NEW	95-01-125	67-25-110	AMD-P	94-24-068	106-08-001	AMD-P	94-17-074
51-35-52441	NEW	95-01-125	67-25-120	REP-P	94-24-068	106-08-001	AMD-E	94-17-075
51-35-52442	NEW	95-01-125	67-25-255	AMD-P	94-24-068	106-08-001	AMD	94-20-062
51-35-52500	NEW-P	94-16-113	67-25-257	AMD-P	94-24-068	106-08-002	AMD-P	94-17-074
51-35-52500	NEW	95-01-125	67-25-260	AMD-P	94-24-068	106-08-002	AMD-E	94-17-075
51-35-52501	NEW-P	94-16-113	67-25-270	AMD-P	94-24-068	106-08-002	AMD	94-20-062
51-35-52502	NEW-P	94-16-113	67-25-275	AMD-P	94-24-068	106-08-040	AMD-P	94-17-074
51-35-52503	NEW-P	94-16-113	67-25-280	AMD-P	94-24-068	106-08-040	AMD-E	94-17-075
51-35-52504	NEW-P	94-16-113	67-25-281	REP-P	94-24-068	106-08-040	AMD	94-20-062
51-35-52505	NEW-P	94-16-113	67-25-284	NEW-P	94-24-068	106-08-110	AMD-P	94-17-074
51-35-52506	NEW-P	94-16-113	67-25-288	NEW-P	94-24-068	106-08-110	AMD-E	94-17-075
51-35-52507	NEW-P	94-16-113	67-25-300	AMD-P	94-24-068	106-08-110	AMD	94-20-062
51-35-52508	NEW-P	94-16-113	67-25-325	AMD-P	94-24-068	106-08-230	AMD-P	94-17-074
51-35-52509	NEW-P	94-16-113	67-25-326	AMD-P	94-24-068	106-08-230	AMD-E	94-17-075
51-35-52510	NEW	95-01-125	67-25-350	AMD-P	94-24-068	106-08-230	AMD	94-20-062
51-35-52520	NEW	95-01-125	67-25-360	AMD-P	94-24-068	106-08-260	AMD-P	94-17-074
51-35-52530	NEW	95-01-125	67-25-380	AMD-P	94-24-068	106-08-260	AMD-E	94-17-075

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
106-08-260	AMD	94-20-062	106-72-600	AMD-P	94-17-074	106-116-311	AMD-E	94-07-091
106-08-290	AMD-P	94-17-074	106-72-600	AMD-E	94-17-075	106-116-311	AMD	94-10-049
106-08-290	AMD-E	94-17-075	106-72-600	AMD	94-20-062	106-116-403	AMD-P	94-07-090
106-08-290	AMD	94-20-062	106-72-610	AMD-P	94-17-074	106-116-403	AMD-E	94-07-091
106-08-300	AMD-P	94-17-074	106-72-610	AMD-E	94-17-075	106-116-403	AMD	94-10-049
106-08-300	AMD-E	94-17-075	106-72-610	AMD	94-20-062	106-116-410	AMD-P	94-07-090
106-08-300	AMD	94-20-062	106-116-011	AMD-P	94-07-090	106-116-410	AMD-E	94-07-091
106-08-310	AMD-P	94-17-074	106-116-011	AMD-E	94-07-091	106-116-410	AMD	94-10-049
106-08-310	AMD-E	94-17-075	106-116-011	AMD	94-10-049	106-116-501	AMD-P	94-07-090
106-08-310	AMD	94-20-062	106-116-040	AMD-P	94-07-090	106-116-501	AMD-E	94-07-091
106-08-340	AMD-P	94-17-074	106-116-040	AMD-E	94-07-091	106-116-501	AMD	94-10-049
106-08-340	AMD-E	94-17-075	106-116-040	AMD	94-10-049	106-116-513	AMD-P	94-07-090
106-08-340	AMD	94-20-062	106-116-042	AMD-P	94-07-090	106-116-513	AMD-E	94-07-091
106-08-350	AMD-P	94-17-074	106-116-042	AMD-E	94-07-091	106-116-513	AMD	94-10-049
106-08-350	AMD-E	94-17-075	106-116-042	AMD	94-10-049	106-116-514	AMD-P	94-07-090
106-08-350	AMD	94-20-062	106-116-103	AMD-P	94-07-090	106-116-514	AMD-E	94-07-091
106-08-400	AMD-P	94-17-074	106-116-103	AMD-E	94-07-091	106-116-514	AMD	94-10-049
106-08-400	AMD-E	94-17-075	106-116-103	AMD	94-10-049	106-116-515	AMD-P	94-07-090
106-08-400	AMD	94-20-062	106-116-10401	AMD-P	94-07-090	106-116-515	AMD-E	94-07-091
106-08-410	AMD-P	94-17-074	106-116-10401	AMD-E	94-07-091	106-116-515	AMD	94-10-049
106-08-410	AMD-E	94-17-075	106-116-10401	AMD	94-10-049	106-116-521	AMD-P	94-07-090
106-08-410	AMD	94-20-062	106-116-201	AMD-P	94-07-090	106-116-521	AMD-E	94-07-091
106-08-420	AMD-P	94-17-074	106-116-201	AMD-E	94-07-091	106-116-521	AMD	94-10-049
106-08-420	AMD-E	94-17-075	106-116-201	AMD	94-10-049	106-116-601	AMD-P	94-07-090
106-08-420	AMD	94-20-062	106-116-202	AMD-P	94-07-090	106-116-601	AMD-E	94-07-091
106-08-430	AMD-P	94-17-074	106-116-202	AMD-E	94-07-091	106-116-601	AMD	94-10-049
106-08-430	AMD-E	94-17-075	106-116-202	AMD	94-10-049	106-116-603	AMD-P	94-07-090
106-08-430	AMD	94-20-062	106-116-203	AMD-P	94-07-090	106-116-603	AMD-E	94-07-091
106-08-450	AMD-P	94-17-074	106-116-203	AMD-E	94-07-091	106-116-603	AMD	94-10-049
106-08-450	AMD-E	94-17-075	106-116-203	AMD	94-10-049	106-116-603	PREP	94-16-002
106-08-450	AMD	94-20-062	106-116-204	AMD-P	94-07-090	106-116-603	AMD-P	94-17-149
106-08-460	AMD-P	94-17-074	106-116-204	AMD-E	94-07-091	106-116-603	AMD-E	94-17-150
106-08-460	AMD-E	94-17-075	106-116-204	AMD	94-10-049	106-116-603	AMD	94-20-074
106-08-460	AMD	94-20-062	106-116-205	AMD-P	94-07-090	106-116-701	AMD-P	94-07-090
106-20	PREP	94-15-080	106-116-205	AMD-E	94-07-091	106-116-701	AMD-E	94-07-091
106-20-100	AMD-P	94-17-074	106-116-205	AMD	94-10-049	106-116-701	AMD	94-10-049
106-20-100	AMD-E	94-17-075	106-116-207	AMD-P	94-07-090	106-116-702	AMD-P	94-07-090
106-20-100	AMD	94-20-062	106-116-207	AMD-E	94-07-091	106-116-702	AMD-E	94-07-091
106-50	PREP	94-15-080	106-116-207	AMD	94-10-049	106-116-702	AMD	94-10-049
106-50-100	AMD-P	94-17-074	106-116-208	AMD-P	94-07-090	106-116-853	AMD-P	94-07-090
106-50-100	AMD-E	94-17-075	106-116-208	AMD-E	94-07-091	106-116-853	AMD-E	94-07-091
106-50-100	AMD	94-20-062	106-116-208	AMD	94-10-049	106-116-853	AMD	94-10-049
106-72	PREP	94-15-080	106-116-212	AMD-P	94-07-090	106-116-901	AMD-P	94-07-090
106-72-005	AMD-P	94-17-074	106-116-212	AMD-E	94-07-091	106-116-901	AMD-E	94-07-091
106-72-005	AMD-E	94-17-075	106-116-212	AMD	94-10-049	106-116-901	AMD	94-10-049
106-72-005	AMD	94-20-062	106-116-213	AMD-P	94-07-090	106-120	PREP	94-15-081
106-72-015	AMD-P	94-17-074	106-116-213	AMD-E	94-07-091	106-120-003	AMD-P	94-17-151
106-72-015	AMD-E	94-17-075	106-116-213	AMD	94-10-049	106-120-003	AMD-E	94-17-152
106-72-015	AMD	94-20-062	106-116-301	AMD-P	94-07-090	106-120-003	AMD	94-21-048
106-72-025	AMD-P	94-17-074	106-116-301	AMD-E	94-07-091	106-120-004	AMD-P	94-17-151
106-72-025	AMD-E	94-17-075	106-116-301	AMD	94-10-049	106-120-004	AMD-E	94-17-152
106-72-025	AMD	94-20-062	106-116-303	AMD-P	94-07-090	106-120-004	AMD	94-21-048
106-72-200	AMD-P	94-17-074	106-116-303	AMD-E	94-07-091	106-120-027	AMD-P	94-17-151
106-72-200	AMD-E	94-17-075	106-116-303	AMD	94-10-049	106-120-027	AMD-E	94-17-152
106-72-200	AMD	94-20-062	106-116-304	AMD-P	94-07-090	106-120-027	AMD	94-21-048
106-72-400	AMD-P	94-17-074	106-116-304	AMD-E	94-07-091	106-120-027	AMD	94-21-097
106-72-400	AMD-E	94-17-075	106-116-304	AMD	94-10-049	106-120-028	AMD-P	94-17-151
106-72-400	AMD	94-20-062	106-116-305	AMD-P	94-07-090	106-120-028	AMD-E	94-17-152
106-72-410	AMD-P	94-17-074	106-116-305	AMD-E	94-07-091	106-120-028	AMD	94-21-048
106-72-410	AMD-E	94-17-075	106-116-305	AMD	94-10-049	106-120-131	AMD-P	94-17-151
106-72-410	AMD	94-20-062	106-116-306	AMD-P	94-07-090	106-120-131	AMD-E	94-17-152
106-72-440	AMD-P	94-17-074	106-116-306	AMD-E	94-07-091	106-120-131	AMD	94-21-048
106-72-440	AMD-E	94-17-075	106-116-306	AMD	94-10-049	106-120-132	AMD-P	94-17-151
106-72-440	AMD	94-20-062	106-116-307	AMD-P	94-07-090	106-120-132	AMD-E	94-17-152
106-72-510	AMD-P	94-17-074	106-116-307	AMD-E	94-07-091	106-120-132	AMD	94-21-048
106-72-510	AMD-E	94-17-075	106-116-307	AMD	94-10-049	106-120-143	AMD-P	94-17-151
106-72-510	AMD	94-20-062	106-116-308	AMD-P	94-07-090	106-120-143	AMD-E	94-17-152
106-72-540	AMD-P	94-17-074	106-116-308	AMD-E	94-07-091	106-120-143	AMD	94-21-048
106-72-540	AMD-E	94-17-075	106-116-308	AMD	94-10-049	106-124	PREP	94-15-081
106-72-540	AMD	94-20-062	106-116-310	AMD-P	94-07-090	106-124	AMD-P	94-17-151
106-72-580	AMD-P	94-17-074	106-116-310	AMD-E	94-07-091	106-124	AMD-E	94-17-152
106-72-580	AMD-E	94-17-075	106-116-310	AMD	94-10-049	106-124	AMD	94-21-048
106-72-580	AMD	94-20-062	106-116-311	AMD-P	94-07-090	106-124-010	AMD-P	94-17-151

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
106-124-010	AMD-E	94-17-152	106-140-401	AMD-E	94-17-077	106-160-027	REP-P	94-17-153
106-124-010	AMD	94-21-048	106-140-401	AMD	94-20-075	106-160-027	REP-E	94-17-154
106-124-011	AMD-P	94-17-151	106-140-600	AMD-P	94-17-076	106-160-027	REP	94-21-008
106-124-011	AMD-E	94-17-152	106-140-600	AMD-E	94-17-077	106-160-029	REP-P	94-17-153
106-124-011	AMD	94-21-048	106-140-600	AMD	94-20-075	106-160-029	REP-E	94-17-154
106-124-700	AMD-P	94-17-151	106-140-605	AMD-P	94-17-076	106-160-029	REP	94-21-008
106-124-700	AMD-E	94-17-152	106-140-605	AMD-E	94-17-077	106-160-030	REP-P	94-17-153
106-124-700	AMD	94-21-048	106-140-605	AMD	94-20-075	106-160-030	REP-E	94-17-154
106-124-801	AMD-P	94-17-151	106-140-632	AMD-P	94-17-076	106-160-030	REP	94-21-008
106-124-801	AMD-E	94-17-152	106-140-632	AMD-E	94-17-077	106-160-031	REP-P	94-17-153
106-124-801	AMD	94-21-048	106-140-632	AMD	94-20-075	106-160-031	REP-E	94-17-154
106-140	PREP	94-15-082	106-140-660	AMD-P	94-17-076	106-160-031	REP	94-21-008
106-140-010	AMD-P	94-17-076	106-140-660	AMD-E	94-17-077	106-160-032	REP-P	94-17-153
106-140-010	AMD-E	94-17-077	106-140-660	AMD	94-20-075	106-160-032	REP-E	94-17-154
106-140-010	AMD	94-20-075	106-140-670	AMD-P	94-17-076	106-160-032	REP	94-21-008
106-140-011	AMD-P	94-17-076	106-140-670	AMD-E	94-17-077	106-160-033	REP-P	94-17-153
106-140-011	AMD-E	94-17-077	106-140-670	AMD	94-20-075	106-160-033	REP-E	94-17-154
106-140-011	AMD	94-20-075	106-156	PREP	94-15-083	106-160-033	REP	94-21-008
106-140-020	AMD-P	94-17-076	106-156-010	AMD-P	94-17-153	106-160-034	REP-P	94-17-153
106-140-020	AMD-E	94-17-077	106-156-010	AMD-E	94-17-154	106-160-034	REP-E	94-17-154
106-140-020	AMD	94-20-075	106-156-010	AMD	94-21-008	106-160-034	REP	94-21-008
106-140-021	AMD-P	94-17-076	106-156-011	AMD-P	94-17-153	106-160-035	REP-P	94-17-153
106-140-021	AMD-E	94-17-077	106-156-011	AMD-E	94-17-154	106-160-035	REP-E	94-17-154
106-140-021	AMD	94-20-075	106-156-011	AMD	94-21-008	106-160-035	REP	94-21-008
106-140-023	AMD-P	94-17-076	106-156-012	AMD-P	94-17-153	106-160-040	REP-P	94-17-153
106-140-023	AMD-E	94-17-077	106-156-012	AMD-E	94-17-154	106-160-040	REP-E	94-17-154
106-140-023	AMD	94-20-075	106-156-012	AMD	94-21-008	106-160-040	REP	94-21-008
106-140-031	AMD-P	94-17-076	106-156-013	AMD-P	94-17-153	106-160-041	REP-P	94-17-153
106-140-031	AMD-E	94-17-077	106-156-013	AMD-E	94-17-154	106-160-041	REP-E	94-17-154
106-140-031	AMD	94-20-075	106-156-013	AMD	94-21-008	106-160-041	REP	94-21-008
106-140-032	AMD-P	94-17-076	106-156-015	AMD-P	94-17-153	106-160-050	NEW-P	94-17-153
106-140-032	AMD-E	94-17-077	106-156-015	AMD-E	94-17-154	106-160-050	NEW-E	94-17-154
106-140-032	AMD	94-20-075	106-156-015	AMD	94-21-008	106-160-050	NEW	94-21-008
106-140-035	AMD-P	94-17-076	106-160	PREP	94-15-083	106-160-060	NEW-P	94-17-153
106-140-035	AMD-E	94-17-077	106-160-001	REP-P	94-17-153	106-160-060	NEW-E	94-17-154
106-140-035	AMD	94-20-075	106-160-001	REP-E	94-17-154	106-160-060	NEW	94-21-008
106-140-040	AMD-P	94-17-076	106-160-001	REP	94-21-008	106-160-070	NEW-P	94-17-153
106-140-040	AMD-E	94-17-077	106-160-002	REP-P	94-17-153	106-160-070	NEW-E	94-17-154
106-140-040	AMD	94-20-075	106-160-002	REP-E	94-17-154	106-160-070	NEW	94-21-008
106-140-050	AMD-P	94-17-076	106-160-002	REP	94-21-008	106-160-080	NEW-P	94-17-153
106-140-050	AMD-E	94-17-077	106-160-005	REP-P	94-17-153	106-160-080	NEW-E	94-17-154
106-140-050	AMD	94-20-075	106-160-005	REP-E	94-17-154	106-160-080	NEW	94-21-008
106-140-051	AMD-P	94-17-076	106-160-005	REP	94-21-008	106-160-090	NEW-P	94-17-153
106-140-051	AMD-E	94-17-077	106-160-010	REP-P	94-17-153	106-160-090	NEW-E	94-17-154
106-140-051	AMD	94-20-075	106-160-010	REP-E	94-17-154	106-160-090	NEW	94-21-008
106-140-052	AMD-P	94-17-076	106-160-010	REP	94-21-008	106-160-100	NEW-P	94-17-153
106-140-052	AMD-E	94-17-077	106-160-015	REP-P	94-17-153	106-160-100	NEW-E	94-17-154
106-140-052	AMD	94-20-075	106-160-015	REP-E	94-17-154	106-160-100	NEW	94-21-008
106-140-110	AMD-P	94-17-076	106-160-015	REP	94-21-008	106-160-110	NEW-P	94-17-153
106-140-110	AMD-E	94-17-077	106-160-016	REP-P	94-17-153	106-160-110	NEW-E	94-17-154
106-140-110	AMD	94-20-075	106-160-016	REP-E	94-17-154	106-160-110	NEW	94-21-008
106-140-111	AMD-P	94-17-076	106-160-016	REP	94-21-008	106-160-120	NEW-P	94-17-153
106-140-111	AMD-E	94-17-077	106-160-017	REP-P	94-17-153	106-160-120	NEW-E	94-17-154
106-140-111	AMD	94-20-075	106-160-017	REP-E	94-17-154	106-160-120	NEW	94-21-008
106-140-112	AMD-P	94-17-076	106-160-017	REP	94-21-008	106-160-130	NEW-P	94-17-153
106-140-112	AMD-E	94-17-077	106-160-020	REP-P	94-17-153	106-160-130	NEW-E	94-17-154
106-140-112	AMD	94-20-075	106-160-020	REP-E	94-17-154	106-160-130	NEW	94-21-008
106-140-113	AMD-P	94-17-076	106-160-020	REP	94-21-008	106-160-140	NEW-P	94-17-153
106-140-113	AMD-E	94-17-077	106-160-021	REP-P	94-17-153	106-160-140	NEW-E	94-17-154
106-140-113	AMD	94-20-075	106-160-021	REP-E	94-17-154	106-160-140	NEW	94-21-008
106-140-130	AMD-P	94-17-076	106-160-021	REP	94-21-008	106-160-150	NEW-P	94-17-153
106-140-130	AMD-E	94-17-077	106-160-022	REP-P	94-17-153	106-160-150	NEW-E	94-17-154
106-140-130	AMD	94-20-075	106-160-022	REP-E	94-17-154	106-160-150	NEW	94-21-008
106-140-131	AMD-P	94-17-076	106-160-022	REP	94-21-008	106-160-160	NEW-P	94-17-153
106-140-131	AMD-E	94-17-077	106-160-023	REP-P	94-17-153	106-160-160	NEW-E	94-17-154
106-140-131	AMD	94-20-075	106-160-023	REP-E	94-17-154	106-160-160	NEW	94-21-008
106-140-133	AMD-P	94-17-076	106-160-023	REP	94-21-008	106-160-170	NEW-P	94-17-153
106-140-133	AMD-E	94-17-077	106-160-024	REP-P	94-17-153	106-160-170	NEW-E	94-17-154
106-140-133	AMD	94-20-075	106-160-024	REP-E	94-17-154	106-160-170	NEW	94-21-008
106-140-160	AMD-P	94-17-076	106-160-024	REP	94-21-008	106-160-180	NEW-P	94-17-153
106-140-160	AMD-E	94-17-077	106-160-026	REP-P	94-17-153	106-160-180	NEW-E	94-17-154
106-140-160	AMD	94-20-075	106-160-026	REP-E	94-17-154	106-160-180	NEW	94-21-008
106-140-401	AMD-P	94-17-076	106-160-026	REP	94-21-008	106-160-190	NEW-P	94-17-153

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
106-160-190	NEW-E	94-17-154	106-172-765	AMD-P	94-17-151	132B-310-020	NEW	94-20-073
106-160-190	NEW	94-21-008	106-172-765	AMD-E	94-17-152	132B-310-030	NEW-P	94-16-091
106-160-200	NEW-P	94-17-153	106-172-765	AMD	94-21-048	132B-310-030	NEW	94-20-073
106-160-200	NEW-E	94-17-154	106-172-772	AMD-P	94-17-151	132B-310-040	NEW-P	94-16-091
106-160-200	NEW	94-21-008	106-172-772	AMD-E	94-17-152	132B-310-040	NEW	94-20-073
106-160-210	NEW-P	94-17-153	106-172-772	AMD	94-21-048	132B-310-050	NEW-P	94-16-091
106-160-210	NEW-E	94-17-154	106-276	PREP	94-15-082	132B-310-050	NEW	94-20-073
106-160-210	NEW	94-21-008	106-276-005	AMD-P	94-17-076	132F-08-001	REP-P	94-05-097A
106-160-220	NEW-P	94-17-153	106-276-005	AMD-E	94-17-077	132F-08-001	REP	94-18-070
106-160-220	NEW-E	94-17-154	106-276-005	AMD	94-20-075	132F-08-005	REP-P	94-05-097A
106-160-220	NEW	94-21-008	106-276-010	AMD-P	94-17-076	132F-08-005	REP	94-18-070
106-160-230	NEW-P	94-17-153	106-276-010	AMD-E	94-17-077	132F-08-010	REP-P	94-05-097A
106-160-230	NEW-E	94-17-154	106-276-010	AMD	94-20-075	132F-08-010	REP	94-18-070
106-160-230	NEW	94-21-008	106-276-030	AMD-P	94-17-076	132F-08-080	REP-P	94-05-097A
106-160-240	NEW-P	94-17-153	106-276-030	AMD-E	94-17-077	132F-08-080	REP	94-18-070
106-160-240	NEW-E	94-17-154	106-276-030	AMD	94-20-075	132F-08-090	REP-P	94-05-097A
106-160-240	NEW	94-21-008	106-276-040	AMD-P	94-17-076	132F-08-090	REP	94-18-070
106-160-250	NEW-P	94-17-153	106-276-040	AMD-E	94-17-077	132F-08-100	REP-P	94-05-097A
106-160-250	NEW-E	94-17-154	106-276-040	AMD	94-20-075	132F-08-100	REP	94-18-070
106-160-250	NEW	94-21-008	106-276-060	AMD-P	94-17-076	132F-08-110	REP-P	94-05-097A
106-160-260	NEW-P	94-17-153	106-276-060	AMD-E	94-17-077	132F-08-110	REP	94-18-070
106-160-260	NEW-E	94-17-154	106-276-060	AMD	94-20-075	132F-08-120	REP-P	94-05-097A
106-160-260	NEW	94-21-008	106-276-070	AMD-P	94-17-076	132F-08-120	REP	94-18-070
106-160-270	NEW-P	94-17-153	106-276-070	AMD-E	94-17-077	132F-08-130	REP-P	94-05-097A
106-160-270	NEW-E	94-17-154	106-276-070	AMD	94-20-075	132F-08-130	REP	94-18-070
106-160-270	NEW	94-21-008	106-276-080	AMD-P	94-17-076	132F-08-140	REP-P	94-05-097A
106-160-280	NEW-P	94-17-153	106-276-080	AMD-E	94-17-077	132F-08-140	REP	94-18-070
106-160-280	NEW-E	94-17-154	106-276-080	AMD	94-20-075	132F-08-230	REP-P	94-05-097A
106-160-280	NEW	94-21-008	106-276-090	AMD-P	94-17-076	132F-08-230	REP	94-18-070
106-160-290	NEW-P	94-17-153	106-276-090	AMD-E	94-17-077	132F-08-240	REP-P	94-05-097A
106-160-290	NEW-E	94-17-154	106-276-090	AMD	94-20-075	132F-08-240	REP	94-18-070
106-160-290	NEW	94-21-008	106-276-100	AMD-P	94-17-076	132F-08-250	REP-P	94-05-097A
106-160-300	NEW-P	94-17-153	106-276-100	AMD-E	94-17-077	132F-08-250	REP	94-18-070
106-160-300	NEW-E	94-17-154	106-276-100	AMD	94-20-075	132F-08-260	REP-P	94-05-097A
106-160-300	NEW	94-21-008	106-276-110	AMD-P	94-17-076	132F-08-260	REP	94-18-070
106-160-310	NEW-P	94-17-153	106-276-110	AMD-E	94-17-077	132F-08-270	REP-P	94-05-097A
106-160-310	NEW-E	94-17-154	106-276-110	AMD	94-20-075	132F-08-270	REP	94-18-070
106-160-310	NEW	94-21-008	131-46-010	AMD	94-04-120	132F-08-280	REP-P	94-05-097A
106-160-320	NEW-P	94-17-153	131-46-020	AMD	94-04-120	132F-08-280	REP	94-18-070
106-160-320	NEW-E	94-17-154	131-46-025	AMD	94-04-120	132F-08-290	REP-P	94-05-097A
106-160-320	NEW	94-21-008	131-46-027	NEW	94-04-120	132F-08-290	REP	94-18-070
106-168	PREP	94-15-083	131-46-029	NEW	94-04-120	132F-08-300	REP-P	94-05-097A
106-168-009	AMD-P	94-17-153	131-46-030	AMD	94-04-120	132F-08-300	REP	94-18-070
106-168-009	AMD-E	94-17-154	131-46-035	AMD	94-04-120	132F-08-310	REP-P	94-05-097A
106-168-009	AMD	94-21-008	131-46-040	AMD	94-04-120	132F-08-310	REP	94-18-070
106-168-065	AMD-P	94-17-153	131-46-045	AMD	94-04-120	132F-08-320	REP-P	94-05-097A
106-168-065	AMD-E	94-17-154	131-46-050	AMD	94-04-120	132F-08-320	REP	94-18-070
106-168-065	AMD	94-21-008	131-46-055	AMD	94-04-120	132F-08-330	REP-P	94-05-097A
106-168-097	AMD-P	94-17-153	131-46-060	AMD	94-04-120	132F-08-330	REP	94-18-070
106-168-097	AMD-E	94-17-154	131-46-065	AMD	94-04-120	132F-08-340	REP-P	94-05-097A
106-168-097	AMD	94-21-008	131-46-070	AMD	94-04-120	132F-08-340	REP	94-18-070
106-172	PREP	94-15-081	131-46-075	AMD	94-04-120	132F-08-350	REP-P	94-05-097A
106-172-711	AMD-P	94-17-151	131-46-077	NEW	94-04-120	132F-08-350	REP	94-18-070
106-172-711	AMD-E	94-17-152	131-46-080	AMD	94-04-120	132F-08-360	REP-P	94-05-097A
106-172-711	AMD	94-21-048	131-46-085	AMD	94-04-120	132F-08-360	REP	94-18-070
106-172-721	AMD-P	94-17-151	131-46-090	AMD	94-04-120	132F-08-400	REP-P	94-05-097A
106-172-721	AMD-E	94-17-152	131-46-095	AMD	94-04-120	132F-08-400	REP	94-18-070
106-172-721	AMD	94-21-048	131-46-100	AMD	94-04-120	132F-08-410	REP-P	94-05-097A
106-172-731	AMD-P	94-17-151	131-46-105	AMD	94-04-120	132F-08-410	REP	94-18-070
106-172-731	AMD-E	94-17-152	131-46-110	AMD	94-04-120	132F-08-420	REP-P	94-05-097A
106-172-731	AMD	94-21-048	131-46-115	AMD	94-04-120	132F-08-420	REP	94-18-070
106-172-735	AMD-P	94-17-151	131-46-120	AMD	94-04-120	132F-08-430	REP-P	94-05-097A
106-172-735	AMD-E	94-17-152	131-46-125	NEW	94-04-120	132F-08-430	REP	94-18-070
106-172-735	AMD	94-21-048	131-46-130	NEW	94-04-120	132F-08-440	REP-P	94-05-097A
106-172-750	AMD-P	94-17-151	132B-300	AMD-P	94-16-090	132F-08-440	REP	94-18-070
106-172-750	AMD-E	94-17-152	132B-300	AMD	94-20-072	132F-08-450	REP-P	94-05-097A
106-172-750	AMD	94-21-048	132B-300-010	AMD-P	94-16-090	132F-08-450	REP	94-18-070
106-172-761	AMD-P	94-17-151	132B-300-010	AMD	94-20-072	132F-08-460	REP-P	94-05-097A
106-172-761	AMD-E	94-17-152	132B-300-020	AMD-P	94-16-090	132F-08-460	REP	94-18-070
106-172-761	AMD	94-21-048	132B-300-020	AMD	94-20-072	132F-08-470	REP-P	94-05-097A
106-172-763	AMD-P	94-17-151	132B-310-010	NEW-P	94-16-091	132F-08-470	REP	94-18-070
106-172-763	AMD-E	94-17-152	132B-310-010	NEW	94-20-073	132F-08-480	REP-P	94-05-097A
106-172-763	AMD	94-21-048	132B-310-020	NEW-P	94-16-091	132F-08-480	REP	94-18-070

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132F-104-030	AMD-P	94-05-097A	132H-160-120	REP	94-04-098	132Q-04-081	NEW	95-01-044
132F-104-030	AMD	94-18-070	132H-160-140	REP	94-04-098	132Q-04-082	NEW-P	94-18-091
132F-104-811	AMD-P	94-05-097A	132H-160-150	REP	94-04-098	132Q-04-082	NEW	95-01-043
132F-104-811	AMD	94-18-070	132H-160-260	REP	94-04-098	132Q-04-083	NEW-P	94-18-090
132F-104-813	AMD-P	94-05-097A	132H-160-320	REP	94-04-098	132Q-04-083	NEW	95-01-042
132F-104-813	AMD	94-18-070	132H-160-330	REP	94-04-098	132Q-04-094	NEW-P	94-18-089
132F-104-815	AMD-P	94-05-097A	132H-160-350	REP	94-04-098	132Q-04-094	NEW	95-18-041
132F-104-815	AMD	94-18-070	132H-160-390	REP	94-04-098	132Q-04-097	NEW-P	94-18-088
132F-104-819	AMD-P	94-05-097A	132H-160-400	REP	94-04-098	132R-190-010	AMD	94-07-019
132F-104-819	AMD	94-18-070	132H-160-430	REP	94-04-098	132R-190-020	AMD	94-07-019
132F-108-010	NEW-P	94-05-097A	132H-160-440	REP	94-04-098	132R-190-030	AMD	94-07-019
132F-108-010	NEW	94-18-070	132H-160-492	REP	94-04-098	132R-190-035	AMD	94-07-019
132F-108-020	NEW-P	94-05-097A	132H-160-520	REP	94-04-098	132R-190-040	AMD	94-07-019
132F-108-020	NEW	94-18-070	132H-160-600	REP	94-04-098	132R-190-050	AMD	94-07-019
132F-108-030	NEW-P	94-05-097A	132H-160-610	REP	94-04-098	132R-190-060	AMD	94-07-019
132F-108-030	NEW	94-18-070	132H-160-620	REP	94-04-098	132R-190-070	AMD	94-07-019
132F-108-040	NEW-P	94-05-097A	132H-160-630	REP	94-04-098	132R-190-080	AMD	94-07-019
132F-108-040	NEW	94-18-070	132H-160-640	REP	94-04-098	132R-190-090	AMD	94-07-019
132F-108-050	NEW-P	94-05-097A	132H-160-650	REP	94-04-098	132R-190-100	AMD	94-07-019
132F-108-050	NEW	94-18-070	132H-160-660	REP	94-04-098	132R-190-110	AMD	94-07-019
132F-108-060	NEW-P	94-05-097A	132H-160-670	REP	94-04-098	132V-300-020	AMD-W	94-03-082
132F-108-060	NEW	94-18-070	132H-160-680	REP	94-04-098	132Y-125-004	AMD	94-03-010
132F-108-070	NEW-P	94-05-097A	132H-160-690	REP	94-04-098	136-130-040	AMD-P	94-06-028
132F-108-070	NEW	94-18-070	132J-108-050	AMD	94-04-051	136-130-040	AMD	94-10-022
132F-108-080	NEW-P	94-05-097A	132J-116-010	AMD	94-04-052	136-130-060	AMD-P	94-06-029
132F-108-080	NEW	94-18-070	132J-116-020	REP	94-04-052	136-130-060	AMD	94-10-020
132F-108-090	NEW-P	94-05-097A	132J-116-021	NEW	94-04-052	136-160-010	REP-P	94-13-182
132F-108-090	NEW	94-18-070	132J-116-040	AMD	94-04-052	136-160-010	REP	94-16-111
132F-108-100	NEW-P	94-05-097A	132J-116-050	AMD	94-04-052	136-160-020	REP-P	94-13-182
132F-108-100	NEW	94-18-070	132J-116-060	AMD	94-04-052	136-160-020	REP	94-16-111
132F-108-110	NEW-P	94-05-097A	132J-116-070	REP	94-04-052	136-160-024	REP-P	94-13-182
132F-108-110	NEW	94-18-070	132J-116-080	AMD	94-04-052	136-160-024	REP	94-16-111
132F-108-120	NEW-P	94-05-097A	132J-116-090	AMD	94-04-052	136-160-030	REP-P	94-13-182
132F-108-120	NEW	94-18-070	132J-116-100	AMD	94-04-052	136-160-030	REP	94-16-111
132F-108-130	NEW-P	94-05-097A	132J-116-110	AMD	94-04-052	136-160-040	REP-P	94-13-182
132F-108-130	NEW	94-18-070	132J-116-120	AMD	94-04-052	136-160-040	REP	94-16-111
132F-108-140	NEW-P	94-05-097A	132J-116-130	AMD	94-04-052	136-160-050	AMD-P	94-06-028
132F-108-140	NEW	94-18-070	132J-116-140	AMD	94-04-052	136-160-050	AMD	94-10-022
132G-126-010	PREP	94-23-081	132J-116-150	AMD	94-04-052	136-160-050	REP-P	94-13-182
132G-126-020	PREP	94-23-081	132J-116-160	AMD	94-04-052	136-160-050	REP	94-16-111
132G-126-030	PREP	94-23-081	132J-116-170	AMD	94-04-052	136-160-060	AMD-P	94-06-030
132G-126-040	PREP	94-23-081	132J-116-180	AMD	94-04-052	136-160-060	AMD	94-10-023
132G-126-050	PREP	94-23-081	132J-116-190	AMD	94-04-052	136-160-060	REP-P	94-13-182
132G-126-060	PREP	94-23-081	132J-116-200	REP	94-04-052	136-160-060	REP	94-16-111
132G-126-070	PREP	94-23-081	132J-116-210	AMD	94-04-052	136-160-065	REP-P	94-13-182
132G-126-080	PREP	94-23-081	132J-116-220	AMD	94-04-052	136-160-065	REP	94-16-111
132G-126-200	PREP	94-23-081	132J-116-240	AMD	94-04-052	136-161-010	NEW-P	94-13-182
132G-126-210	PREP	94-23-081	132J-128-010	REP	94-04-053	136-161-010	NEW	94-16-111
132G-126-220	PREP	94-23-081	132J-128-020	REP	94-04-053	136-161-020	NEW-P	94-13-182
132G-126-230	PREP	94-23-081	132J-128-030	REP	94-04-053	136-161-020	NEW	94-16-111
132G-126-240	PREP	94-23-081	132J-128-040	REP	94-04-053	136-161-030	NEW-P	94-13-182
132G-126-250	PREP	94-23-081	132J-128-050	REP	94-04-053	136-161-030	NEW	94-16-111
132G-126-260	PREP	94-23-081	132J-128-060	REP	94-04-053	136-161-040	NEW-P	94-13-182
132G-126-270	PREP	94-23-081	132J-128-070	REP	94-04-053	136-161-040	NEW	94-16-111
132G-126-280	PREP	94-23-081	132J-128-080	REP	94-04-053	136-161-050	NEW-P	94-13-182
132G-126-290	PREP	94-23-081	132J-128-090	REP	94-04-053	136-161-050	NEW	94-16-111
132G-126-300	PREP	94-23-081	132J-128-100	REP	94-04-053	136-161-060	NEW-P	94-13-182
132G-126-310	PREP	94-23-081	132J-128-110	REP	94-04-053	136-161-060	NEW	94-16-111
132G-126-320	PREP	94-23-081	132J-128-120	REP	94-04-053	136-161-070	NEW-P	94-13-182
132G-126-330	PREP	94-23-081	132J-128-130	REP	94-04-053	136-161-070	NEW	94-16-111
132G-126-340	PREP	94-23-081	132J-128-140	REP	94-04-053	136-161-080	NEW-P	94-13-182
132G-126-350	PREP	94-23-081	132J-128-200	NEW	94-04-053	136-161-080	NEW	94-16-111
132G-126-360	PREP	94-23-081	132J-128-210	NEW	94-04-053	136-161-090	NEW-P	94-13-182
132G-126-370	PREP	94-23-081	132J-136-020	REP	94-04-054	136-161-090	NEW	94-16-111
132G-126-380	PREP	94-23-081	132J-136-025	REP	94-04-054	136-161-100	NEW-P	94-13-182
132G-126-390	PREP	94-23-081	132J-136-030	REP	94-04-054	136-161-100	NEW	94-16-111
132G-126-400	PREP	94-23-081	132J-136-040	REP	94-04-054	136-165-010	NEW-P	94-13-184
132H-160-040	REP	94-04-098	132J-136-050	REP	94-04-054	136-165-010	NEW	94-16-109
132H-160-050	REP	94-04-098	132P-33	PREP	94-17-135B	136-165-020	NEW-P	94-13-184
132H-160-056	REP	94-04-098	132P-116	PREP	94-17-135A	136-165-020	NEW	94-16-109
132H-160-059	REP	94-04-098	132Q-04-061	NEW-P	94-18-087	136-165-030	NEW-P	94-13-184
132H-160-070	REP	94-04-098	132Q-04-061	NEW	95-01-040	136-165-030	NEW	94-16-109
132H-160-080	REP	94-04-098	132Q-04-081	NEW-P	94-18-092	136-165-040	NEW-P	94-13-184

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
136-165-040	NEW	94-16-109	162-12-130	AMD-W	94-04-087	173-19-3506	AMD-W	94-07-074
136-165-050	NEW-P	94-13-184	162-12-135	AMD-W	94-04-087	173-19-3506	AMD-P	94-10-040
136-165-050	NEW	94-16-109	162-12-140	AMD-W	94-04-087	173-19-3506	AMD	94-14-029
136-167-010	NEW-P	94-13-183	162-12-150	AMD-W	94-04-087	173-19-3507	AMD-P	94-17-126
136-167-010	NEW	94-16-110	162-12-160	AMD-W	94-04-087	173-19-360	AMD-P	94-10-041
136-167-020	NEW-P	94-13-183	162-12-170	AMD-W	94-04-087	173-19-360	AMD	94-14-030
136-167-020	NEW	94-16-110	162-12-180	AMD-W	94-04-087	173-19-360	AMD-P	94-24-076
136-167-030	NEW-P	94-13-183	162-18	PREP	94-23-087	173-19-370	PREP	94-22-079
136-167-030	NEW	94-16-110	162-18-010	REP-W	94-04-087	173-19-370	AMD-P	94-23-099
136-167-040	NEW-P	94-13-183	162-18-020	REP-W	94-04-087	173-19-390	AMD	94-03-095
136-167-040	NEW	94-16-110	162-18-030	REP-W	94-04-087	173-19-410	PREP	94-18-096
136-170-010	AMD-P	94-13-185	162-18-040	REP-W	94-04-087	173-19-420	PREP	94-20-087
136-170-010	AMD	94-16-112	162-18-050	REP-W	94-04-087	173-19-4203	AMD-P	94-07-119
136-170-030	AMD-P	94-13-185	162-18-060	REP-W	94-04-087	173-19-4203	AMD	94-13-047
136-170-030	AMD	94-16-112	162-18-070	REP-W	94-04-087	173-19-4205	AMD-P	94-03-094
136-170-040	NEW-P	94-13-185	162-18-080	REP-W	94-04-087	173-19-4205	AMD	94-10-080
136-170-040	NEW	94-16-112	162-18-090	REP-W	94-04-087	173-19-4205	PREP	94-20-087
136-180-040	AMD-P	94-06-031	162-18-100	REP-W	94-04-087	173-19-470	PREP	94-23-100
136-180-040	AMD	94-10-021	162-22	PREP	94-23-087	173-34-010	REP-P	94-03-071
137-56-010	AMD	94-07-065	162-22-010	AMD-W	94-04-087	173-34-010	REP	94-07-078
137-56-015	AMD	94-07-065	162-22-020	AMD-W	94-04-087	173-34-020	REP-P	94-03-071
137-56-030	AMD	94-07-065	162-22-030	REP-W	94-04-087	173-34-020	REP	94-07-078
137-56-040	AMD	94-07-065	162-22-040	REP-W	94-04-087	173-34-030	REP-P	94-03-071
137-56-050	AMD	94-07-065	162-22-050	AMD-W	94-04-087	173-34-030	REP	94-07-078
137-56-060	AMD	94-07-065	162-22-060	AMD-W	94-04-087	173-34-040	REP-P	94-03-071
137-56-070	AMD	94-07-065	162-22-070	AMD-W	94-04-087	173-34-040	REP	94-07-078
137-56-080	AMD	94-07-065	162-22-080	AMD-W	94-04-087	173-34-050	REP-P	94-03-071
137-56-090	AMD	94-07-065	162-22-090	AMD-W	94-04-087	173-34-050	REP	94-07-078
137-56-095	AMD	94-07-065	162-22-100	AMD-W	94-04-087	173-58-010	AMD-P	94-05-037
137-56-100	AMD	94-07-065	162-26-010	AMD-W	94-04-087	173-58-010	AMD	94-12-001
137-56-110	AMD	94-07-065	162-26-020	AMD-W	94-04-087	173-58-020	AMD-P	94-05-037
137-56-120	AMD	94-07-065	162-26-030	AMD-W	94-04-087	173-58-020	AMD	94-12-001
137-56-140	AMD	94-07-065	162-26-040	AMD-W	94-04-087	173-58-090	AMD-P	94-05-037
137-56-150	AMD	94-07-065	162-26-050	AMD-W	94-04-087	173-58-090	AMD	94-12-001
137-56-160	AMD	94-07-065	162-26-060	AMD-W	94-04-087	173-60-010	AMD-P	94-05-037
137-56-170	AMD	94-07-065	162-26-070	AMD-W	94-04-087	173-60-010	AMD	94-12-001
137-56-175	NEW	94-07-065	162-26-080	AMD-W	94-04-087	173-60-020	AMD-P	94-05-037
137-56-180	AMD	94-07-065	162-26-090	AMD-W	94-04-087	173-60-020	AMD	94-12-001
137-56-190	REP	94-07-065	162-26-100	AMD-W	94-04-087	173-60-050	AMD-P	94-05-037
137-56-200	AMD	94-07-065	162-26-110	AMD-W	94-04-087	173-60-050	AMD	94-12-001
137-56-210	AMD	94-07-065	162-26-120	AMD-W	94-04-087	173-60-070	AMD-P	94-05-037
137-56-220	AMD	94-07-065	162-26-130	AMD-W	94-04-087	173-60-070	AMD	94-12-001
137-56-230	AMD	94-07-065	162-26-140	AMD-W	94-04-087	173-70-010	REP-P	94-05-037
137-56-240	AMD	94-07-065	162-30	PREP	94-23-087	173-70-010	REP	94-12-001
137-56-250	AMD	94-07-065	162-30-010	AMD-W	94-04-087	173-70-020	REP-P	94-05-037
148-120-010	NEW-P	94-08-066	162-30-020	AMD-W	94-04-087	173-70-020	REP	94-12-001
148-120-010	NEW	94-13-058	162-30-030	NEW-W	94-04-087	173-70-030	REP-P	94-05-037
148-120-015	NEW-P	94-08-066	162-30-035	NEW-W	94-04-087	173-70-030	REP	94-12-001
148-120-015	NEW	94-13-058	162-30-040	NEW-W	94-04-087	173-70-040	REP-P	94-05-037
148-120-100	NEW-P	94-08-066	162-30-050	NEW-W	94-04-087	173-70-040	REP	94-12-001
148-120-100	NEW	94-13-058	162-30-060	NEW-W	94-04-087	173-70-050	REP-P	94-05-037
148-120-120	NEW-P	94-08-066	162-30-070	NEW-W	94-04-087	173-70-050	REP	94-12-001
148-120-120	NEW	94-13-058	162-30-080	NEW-W	94-04-087	173-70-060	REP-P	94-05-037
148-120-200	NEW-P	94-08-066	162-30-090	NEW-W	94-04-087	173-70-060	REP	94-12-001
148-120-200	NEW	94-13-058	162-30-100	NEW-W	94-04-087	173-70-070	REP-P	94-05-037
148-120-205	NEW-P	94-08-066	173-06	PREP	95-01-089	173-70-070	REP	94-12-001
148-120-205	NEW	94-13-058	173-19-100	AMD-P	94-03-093	173-70-080	REP-P	94-05-037
148-120-210	NEW-P	94-08-066	173-19-100	AMD	94-16-085	173-70-080	REP	94-12-001
148-120-210	NEW	94-13-058	173-19-120	AMD-P	94-03-092	173-70-090	REP-P	94-05-037
148-120-220	NEW-P	94-08-066	173-19-120	AMD	94-10-081	173-70-090	REP	94-12-001
148-120-220	NEW	94-13-058	173-19-1301	AMD-P	94-23-102	173-70-100	REP-P	94-05-037
148-120-225	NEW-P	94-08-066	173-19-2401	AMD-C	94-05-038	173-70-100	REP	94-12-001
148-120-225	NEW	94-13-058	173-19-2401	AMD	94-07-013	173-70-110	REP-P	94-05-037
148-120-230	NEW-P	94-08-066	173-19-2520	AMD-P	94-14-086	173-70-110	REP	94-12-001
148-120-230	NEW	94-13-058	173-19-2520	AMD	94-23-013	173-70-120	REP-P	94-05-037
148-120-234	NEW-P	94-08-066	173-19-2521	AMD-P	94-17-168	173-70-120	REP	94-12-001
148-120-234	NEW	94-13-058	173-19-2521	AMD	94-22-017	173-95-010	REP	94-04-030
148-120-236	NEW-P	94-08-066	173-19-2602	AMD-P	94-04-107	173-95-020	REP	94-04-030
148-120-236	NEW	94-13-058	173-19-2602	AMD	94-10-082	173-95-030	REP	94-04-030
162-12	PREP	94-23-087	173-19-2208	AMD-E	94-18-097	173-95-040	REP	94-04-030
162-12-100	AMD-W	94-04-087	173-19-3101	AMD-P	94-23-103	173-95-050	REP	94-04-030
162-12-110	REP-W	94-04-087	173-19-3303	AMD-P	94-07-120	173-95-060	REP	94-04-030
162-12-120	AMD-W	94-04-087	173-19-3303	AMD	94-13-046	173-95-070	REP	94-04-030

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
173-95-080	REP	94-04-030	173-320-050	REP	94-07-078	173-401-532	NEW-P	94-04-104
173-95-090	REP	94-04-030	173-320-060	REP-P	94-03-071	173-401-532	NEW	94-11-105
173-95-100	REP	94-04-030	173-320-060	REP	94-07-078	173-401-533	NEW-P	94-04-104
173-95-110	REP	94-04-030	173-320-070	REP-P	94-03-071	173-401-533	NEW	94-11-105
173-95-120	REP	94-04-030	173-320-070	REP	94-07-078	173-402-010	REP-P	94-10-078
173-95-130	REP	94-04-030	173-320-080	REP-P	94-03-071	173-402-010	REP	94-14-067
173-95-140	REP	94-04-030	173-320-080	REP	94-07-078	173-402-020	REP-P	94-10-078
173-95-150	REP	94-04-030	173-335-010	REP-P	94-03-071	173-402-020	REP	94-14-067
173-95-160	REP	94-04-030	173-335-010	REP	94-07-078	173-406-100	NEW-P	94-17-127
173-180A-010	NEW	94-10-084	173-335-020	REP-P	94-03-071	173-406-100	NEW	94-23-127
173-180A-020	NEW	94-10-084	173-335-020	REP	94-07-078	173-406-101	NEW-P	94-17-127
173-180A-030	NEW	94-10-084	173-335-030	REP-P	94-03-071	173-406-101	NEW	94-23-127
173-180A-040	NEW	94-10-084	173-335-030	REP	94-07-078	173-406-102	NEW-P	94-17-127
173-180A-050	NEW	94-10-084	173-335-040	REP-P	94-03-071	173-406-102	NEW	94-23-127
173-180A-060	NEW	94-10-084	173-335-040	REP	94-07-078	173-406-102	NEW-P	94-17-127
173-180A-070	NEW	94-10-084	173-335-050	REP-P	94-03-071	173-406-103	NEW-P	94-17-127
173-180A-080	NEW	94-10-084	173-335-050	REP	94-07-078	173-406-103	NEW	94-23-127
173-180A-090	NEW	94-10-084	173-354	PREP	94-21-040	173-406-104	NEW-P	94-17-127
173-180A-100	NEW	94-10-084	173-360-100	AMD-P	94-19-084	173-406-104	NEW	94-23-127
173-180A-110	NEW	94-10-084	173-360-110	AMD-P	94-19-084	173-406-105	NEW-P	94-17-127
173-180A-120	NEW	94-10-084	173-360-120	AMD-P	94-19-084	173-406-105	NEW	94-23-127
173-180A-130	NEW	94-10-084	173-360-130	AMD-P	94-19-084	173-406-106	NEW-P	94-17-127
173-180A-140	NEW	94-10-084	173-360-190	AMD-P	94-19-084	173-406-106	NEW	94-23-127
173-180A-150	NEW	94-10-084	173-360-200	AMD-P	94-19-084	173-406-200	NEW-P	94-17-127
173-180B-010	NEW	94-10-083	173-360-210	AMD-P	94-19-084	173-406-200	NEW	94-23-127
173-180B-020	NEW	94-10-083	173-360-305	AMD-P	94-19-084	173-406-201	NEW-P	94-17-127
173-180B-030	NEW	94-10-083	173-360-310	AMD-P	94-19-084	173-406-201	NEW	94-23-127
173-180B-040	NEW	94-10-083	173-360-320	AMD-P	94-19-084	173-406-202	NEW-P	94-17-127
173-180B-050	NEW	94-10-083	173-360-325	AMD-P	94-19-084	173-406-202	NEW	94-23-127
173-180B-060	NEW	94-10-083	173-360-330	AMD-P	94-19-084	173-406-300	NEW-P	94-17-127
173-180B-070	NEW	94-10-083	173-360-335	AMD-P	94-19-084	173-406-300	NEW	94-23-127
173-180B-080	NEW	94-10-083	173-360-370	AMD-P	94-19-084	173-406-301	NEW-P	94-17-127
173-180B-090	NEW	94-10-083	173-360-340	AMD-P	94-19-084	173-406-301	NEW	94-23-127
173-180B-100	NEW	94-10-083	173-360-345	AMD-P	94-19-084	173-406-302	NEW-P	94-17-127
173-180B-110	NEW	94-10-083	173-360-350	AMD-P	94-19-084	173-406-302	NEW	94-23-127
173-180B-120	NEW	94-10-083	173-360-370	AMD-P	94-19-084	173-406-303	NEW-P	94-17-127
173-180B-130	NEW	94-10-083	173-360-380	AMD-P	94-19-084	173-406-303	NEW	94-23-127
173-180B-140	NEW	94-10-083	173-360-385	AMD-P	94-19-084	173-406-303	NEW	94-23-127
173-202-020	AMD-E	94-04-108	173-360-600	AMD-P	94-19-084	173-406-400	NEW-P	94-17-127
173-202-020	AMD-P	94-08-071	173-360-610	AMD-P	94-19-084	173-406-400	NEW	94-23-127
173-202-020	AMD-E	94-12-054	173-360-620	NEW-P	94-19-084	173-406-401	NEW-P	94-17-127
173-202-020	AMD	94-17-011	173-360-630	AMD-P	94-19-084	173-406-401	NEW	94-23-127
173-204	PREP	94-13-161	173-360-640	REP-P	94-19-084	173-406-402	NEW-P	94-17-127
173-224	AMD-C	94-05-082	173-360-650	REP-P	94-19-084	173-406-402	NEW	94-23-127
173-224	PREP	94-17-010	173-360-655	REP-P	94-19-084	173-406-500	NEW-P	94-17-127
173-224-020	AMD-P	94-02-080	173-360-660	REP-P	94-19-084	173-406-500	NEW	94-23-127
173-224-020	AMD	94-10-027	173-360-680	REP-P	94-19-084	173-406-501	NEW-P	94-17-127
173-224-030	AMD-P	94-02-080	173-360-690	REP-P	94-19-084	173-406-501	NEW	94-23-127
173-224-030	AMD	94-10-027	173-360-695	REP-P	94-19-084	173-406-502	NEW-P	94-17-127
173-224-040	AMD-P	94-02-080	173-400	NEW-C	94-08-072	173-406-502	NEW	94-23-127
173-224-040	AMD	94-10-027	173-400	NEW-C	94-10-079	173-406-600	NEW-P	94-17-127
173-224-050	AMD-P	94-02-080	173-400-030	AMD-P	95-01-104	173-406-600	NEW	94-23-127
173-224-050	AMD	94-10-027	173-400-045	NEW-P	94-04-106	173-406-601	NEW-P	94-17-127
173-224-070	REP-P	94-02-080	173-400-045	NEW	94-17-070	173-406-601	NEW	94-23-127
173-224-070	REP-W	94-15-070	173-400-099	NEW-P	95-01-104	173-406-602	NEW-P	94-17-127
173-224-090	AMD-P	94-02-080	173-400-100	AMD-P	95-01-104	173-406-602	NEW	94-23-127
173-224-090	AMD	94-10-027	173-400-101	NEW-P	94-04-105	173-406-603	NEW-P	94-17-127
173-224-100	AMD-P	94-02-080	173-400-101	NEW	94-10-042	173-406-603	NEW	94-23-127
173-224-100	AMD	94-10-027	173-400-101	AMD-P	95-01-104	173-406-604	NEW-P	94-17-127
173-224-120	REP-P	94-02-080	173-400-102	NEW-P	95-01-104	173-406-604	NEW	94-23-127
173-224-120	REP-W	94-15-070	173-400-103	NEW-P	95-01-104	173-406-605	NEW-P	94-17-127
173-303	AMD-C	94-08-092	173-400-104	NEW-P	95-01-104	173-406-605	NEW	94-23-127
173-303-071	AMD	94-12-018	173-400-116	NEW-P	94-04-106	173-406-700	NEW-P	94-17-127
173-303-104	AMD	94-12-018	173-400-116	NEW	94-17-070	173-406-700	NEW	94-23-127
173-320-010	REP-P	94-03-071	173-400-171	AMD-P	95-01-104	173-406-701	NEW-P	94-17-127
173-320-010	REP	94-07-078	173-401	AMD-C	94-08-073	173-406-701	NEW	94-23-127
173-320-020	REP-P	94-03-071	173-401-200	AMD-P	94-04-104	173-406-702	NEW-P	94-17-127
173-320-020	REP	94-07-078	173-401-200	AMD	94-11-105	173-406-702	NEW	94-23-127
173-320-030	REP-P	94-03-071	173-401-510	AMD-P	94-04-104	173-406-703	NEW-P	94-17-127
173-320-030	REP	94-07-078	173-401-510	AMD	94-11-105	173-406-703	NEW	94-23-127
173-320-040	REP-P	94-03-071	173-401-530	NEW-P	94-04-104	173-406-704	NEW-P	94-17-127
173-320-040	REP	94-07-078	173-401-530	NEW	94-11-105	173-406-705	NEW-P	94-17-127
173-320-050	REP-P	94-03-071	173-401-531	NEW-P	94-04-104	173-406-705	NEW	94-23-127
			173-401-531	NEW	94-11-105	173-406-706	NEW-P	94-17-127

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
173-406-706	NEW	94-23-127	173-548-010	NEW-E	94-23-012	180-78-015	AMD-P	94-20-117
173-406-800	NEW-P	94-17-127	173-548-015	NEW-E	94-15-013	180-78-015	AMD	94-24-042
173-406-800	NEW	94-23-127	173-548-015	NEW-P	94-23-011	180-78-025	AMD-P	94-16-130
173-406-801	NEW-P	94-17-127	173-548-015	NEW-E	94-23-012	180-78-025	AMD	94-24-038
173-406-801	NEW	94-23-127	173-548-030	AMD-E	94-15-013	180-78-065	AMD-P	94-16-130
173-406-802	NEW-P	94-17-127	173-548-030	AMD-P	94-23-011	180-78-065	AMD	94-24-038
173-406-802	NEW	94-23-127	137-548-030	AMD-E	94-23-012	180-78-085	REP-P	94-16-130
173-406-900	NEW-P	94-17-127	173-563-015	AMD-P	94-14-085	180-78-085	REP	94-24-038
173-406-900	NEW	94-23-127	173-563-015	AMD-C	94-15-073	180-78-095	REP-P	94-16-130
173-406-1000	NEW-P	94-17-127	173-563-090	PREP	94-13-162	180-78-095	REP	94-24-038
173-406-1000	NEW	94-23-127	173-564-040	AMD-P	94-14-085	180-78-110	REP-P	94-16-130
173-422	PREP	94-16-094	173-564-040	AMD-C	94-15-073	180-78-110	REP	94-24-038
173-422-020	AMD	94-05-039	180-16-200	AMD	94-03-104	180-78-115	REP-P	94-16-130
173-422-020	AMD-P	94-23-101	180-16-222	AMD-P	94-16-128	180-78-115	REP	94-24-038
173-422-030	AMD	94-05-039	180-16-222	AMD	94-24-040	180-78-120	REP-P	94-16-130
173-422-030	AMD-P	94-23-101	180-16-223	AMD-P	94-16-061	180-78-120	REP	94-24-038
173-422-035	AMD-P	94-23-101	180-16-223	AMD	94-20-054	180-78-140	AMD-P	94-16-130
173-422-050	AMD	94-05-039	180-24-310	AMD-P	94-08-103	180-78-140	AMD	94-24-038
173-422-050	AMD-P	94-23-101	180-24-310	AMD	94-13-018	180-78-141	NEW-P	94-16-130
173-422-060	AMD-P	94-23-101	180-24-312	AMD-P	94-08-103	180-78-141	NEW	94-24-038
173-422-065	AMD-P	94-23-101	180-24-312	AMD	94-13-018	180-78-180	AMD-P	94-16-130
173-422-070	AMD	94-05-039	180-24-315	AMD-P	94-08-103	180-78-180	AMD	94-24-038
173-422-070	AMD-P	94-23-101	180-24-315	AMD	94-13-018	180-78-205	AMD-P	94-16-131
173-422-075	AMD	94-05-039	180-24-320	AMD-P	94-08-103	180-78-205	AMD	94-24-041
173-422-090	AMD-P	94-23-101	180-24-320	AMD	94-13-018	180-78-210	AMD-P	94-16-131
173-422-095	AMD	94-05-039	180-24-325	AMD-P	94-08-103	180-78-210	AMD	94-24-041
173-422-100	AMD-P	94-23-101	180-24-325	AMD	94-13-018	180-78-235	AMD-P	94-16-131
173-422-120	AMD-P	94-23-101	180-24-355	AMD-P	94-08-103	180-78-235	AMD	94-24-041
173-422-130	AMD	94-05-039	180-24-355	AMD	94-13-018	180-78-245	AMD-P	94-16-131
173-422-140	REP	94-05-039	180-26-025	PREP	94-15-035	180-78-245	AMD	94-24-041
173-422-160	AMD	94-05-039	180-26-025	AMD-P	94-16-062	180-78-255	AMD-P	94-16-131
173-422-160	AMD-P	94-23-101	180-26-025	AMD	94-20-055	180-78-255	AMD	94-24-041
173-422-170	AMD	94-05-039	180-27-115	PREP	94-15-035	180-78-257	NEW-P	94-16-131
173-422-170	AMD-P	94-23-101	180-27-115	AMD-P	94-20-116	180-78-257	NEW	94-24-041
173-422-190	AMD-P	94-23-101	180-27-115	PREP	94-23-019	180-78-265	AMD-P	94-16-131
173-422-195	AMD-P	94-23-101	180-27-115	AMD-W	95-01-016	180-78-265	AMD	94-24-041
173-430-010	AMD-P	94-16-096	180-29-130	AMD-P	94-08-104	180-78-266	NEW-P	94-05-034
173-430-020	AMD-P	94-16-096	180-29-130	AMD	94-13-019	180-78-266	NEW	94-08-055
173-430-030	AMD-P	94-16-096	180-29-135	AMD-P	94-05-088	180-78-270	AMD-P	94-16-130
173-430-040	AMD-P	94-16-096	180-29-135	AMD-C	94-08-068	180-78-270	AMD	94-24-038
173-430-050	AMD-P	94-16-096	180-29-135	AMD	94-14-028	180-78-275	AMD-P	94-16-130
173-430-060	AMD-P	94-16-096	180-29-147	NEW-P	94-05-088	180-78-275	AMD	94-24-038
173-430-070	AMD-P	94-16-096	180-29-147	NEW-C	94-08-068	180-78-280	AMD-P	94-16-130
173-430-080	AMD-P	94-16-096	180-29-147	NEW	94-14-028	180-78-280	AMD	94-24-038
173-430-090	NEW-P	94-16-096	180-29-170	AMD-P	94-05-088	180-78-285	AMD-P	94-16-130
173-430-100	NEW-P	94-16-096	180-29-170	AMD-C	94-08-068	180-78-285	AMD	94-24-038
173-440-010	REP-P	94-10-078	180-29-170	AMD	94-14-028	180-78-290	REP-P	94-16-130
173-440-010	REP	94-14-067	180-33-025	AMD-P	94-08-105	180-78-290	REP	94-24-038
173-440-020	REP-P	94-10-078	180-33-025	AMD	94-13-020	180-78-300	REP-P	94-16-130
173-440-020	REP	94-14-067	180-40-235	AMD	94-03-102	180-78-300	REP	94-24-038
173-440-030	REP-P	94-10-078	180-43	PREP	94-23-124	180-78-305	REP-P	94-16-130
173-440-030	REP	94-14-067	180-50-115	AMD	94-03-104	180-78-305	REP	94-24-038
173-440-040	REP-P	94-10-078	180-50-120	AMD	94-03-104	180-78-315	REP-P	94-16-130
173-440-040	REP	94-14-067	180-51-050	AMD	94-03-100	180-78-315	REP	94-24-038
173-440-100	REP-P	94-10-078	180-51-050	AMD-P	94-08-067	180-78-320	REP-P	94-16-130
173-440-100	REP	94-14-067	180-51-050	AMD	94-13-017	180-78-320	REP	94-24-038
173-440-900	REP-P	94-10-078	180-51-050	PREP	94-23-123	180-79-005	AMD-P	94-16-132
173-440-900	REP	94-14-067	180-51-075	AMD	94-03-104	180-79-005	AMD-W	94-18-068
173-460-020	AMD	94-03-072	180-51-105	AMD	94-03-103	180-79-031	NEW-P	94-20-118
173-460-030	AMD	94-03-072	180-58	PREP	94-19-012	180-79-031	NEW	94-24-039
173-460-040	AMD	94-03-072	180-75-016	AMD-P	94-16-129	180-79-032	NEW-P	94-20-118
173-460-050	AMD	94-03-072	180-75-016	AMD	94-24-037	180-79-032	NEW	94-24-039
173-460-060	AMD	94-03-072	180-75-045	AMD-P	94-16-132	180-79-035	NEW-P	94-20-118
173-460-080	AMD	94-03-072	180-75-045	AMD-W	94-18-068	180-79-035	NEW	94-24-039
173-460-090	AMD	94-03-072	180-75-061	AMD-P	94-16-129	180-79-041	NEW-P	94-20-118
173-460-100	AMD	94-03-072	180-75-061	AMD	94-24-037	180-79-041	NEW	94-24-039
173-460-110	AMD	94-03-072	180-75-065	AMD-P	94-16-132	180-79-049	AMD-P	94-16-130
173-460-150	AMD	94-03-072	180-75-065	AMD-W	94-18-068	180-79-049	AMD	94-24-038
173-460-160	AMD	94-03-072	180-75-085	AMD-P	94-16-132	180-79-115	AMD-P	94-16-129
173-492-070	AMD	94-07-040	180-75-085	AMD-W	94-18-068	180-79-115	AMD	94-24-037
173-548	PREP	94-20-086	180-75-087	AMD-P	94-16-132	180-79-120	AMD-P	94-16-131
173-548-010	AMD-E	94-15-013	180-75-087	AMD-W	94-18-068	180-79-120	AMD	94-24-041
173-548-010	AMD-P	94-23-011	180-75-110	PREP	94-15-021	180-79-121	NEW-P	94-16-130

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
180-79-121	NEW	94-24-038	180-96-053	NEW	94-03-101	192-16-021	PREP	94-18-110
180-79-122	AMD-P	94-16-131	180-96-055	REP	94-03-101	192-16-021	PREP	95-01-115
180-79-122	AMD	94-24-041	180-96-058	NEW	94-03-101	192-16-025	PREP	95-01-115
180-79-123	AMD-P	94-16-131	180-96-060	REP	94-03-101	192-16-030	PREP	94-18-110
180-79-123	AMD	94-24-041	180-96-065	REP	94-03-101	192-16-036	PREP	94-14-061
180-79-125	AMD-P	94-16-130	180-96-070	REP	94-03-101	192-16-036	AMD-P	94-18-124
180-79-125	AMD	94-24-038	180-96-075	REP	94-03-101	192-16-036	AMD	94-22-043
180-79-128	AMD-P	94-16-130	182-12-110	AMD-E	94-08-027	192-16-040	PREP	94-14-061
180-79-128	AMD	94-24-038	182-12-110	AMD-E	94-16-054	192-16-040	AMD-P	94-18-124
180-79-131	AMD-P	94-16-130	182-12-110	AMD-E	94-24-002	192-16-040	AMD	94-22-043
180-79-131	AMD	94-24-038	182-12-111	AMD-E	94-08-027	192-16-042	PREP	94-14-061
180-79-140	AMD-P	94-16-131	182-12-111	AMD-E	94-16-054	192-16-042	AMD-P	94-18-124
180-79-140	AMD	94-24-041	182-12-111	AMD-E	94-24-002	192-16-042	AMD	94-22-043
180-79-230	AMD-P	94-16-130	182-12-115	AMD-E	94-08-027	192-16-045	PREP	94-14-061
180-79-230	AMD	94-24-038	182-12-115	AMD-E	94-16-054	192-16-045	AMD-P	94-18-124
180-79-241	AMD-P	94-08-106	182-12-115	AMD-E	94-24-002	192-16-045	AMD	94-22-043
180-79-241	AMD	94-13-021	182-12-122	AMD-E	94-08-027	192-16-047	PREP	94-14-061
180-82-001	NEW-P	94-16-132	182-12-122	AMD-E	94-16-054	192-16-047	AMD-P	94-18-124
180-82-001	NEW-W	94-18-068	182-12-122	AMD-E	94-24-002	192-16-047	AMD	94-22-043
180-82-005	NEW-P	94-16-132	182-14-010	NEW-E	94-08-028	192-16-050	PREP	95-01-115
180-82-005	NEW-W	94-18-068	182-14-010	NEW-E	94-16-058	192-16-056	PREP	94-18-110
180-82-006	NEW-P	94-16-132	182-14-010	NEW-E	94-24-003	192-16-057	PREP	94-18-110
180-82-006	NEW-W	94-18-068	182-14-020	NEW-E	94-08-028	192-16-058	PREP	94-18-110
180-82-007	NEW-P	94-16-132	182-14-020	NEW-E	94-16-058	192-16-060	PREP	94-18-110
180-82-007	NEW-W	94-18-068	182-14-020	NEW-E	94-24-003	192-16-081	PREP	94-18-110
180-82-008	NEW-P	94-16-132	182-14-030	NEW-E	94-08-028	192-23-018	PREP	94-23-117
180-82-008	NEW-W	94-18-068	182-14-030	NEW-E	94-16-058	192-23-320	PREP	94-14-061
180-82-009	NEW-P	94-16-132	182-14-030	NEW-E	94-24-003	192-23-320	AMD-P	94-18-124
180-82-009	NEW-W	94-18-068	182-14-040	NEW-E	94-08-028	192-23-320	AMD	94-22-043
180-82-010	NEW-P	94-16-132	182-14-040	NEW-E	94-16-058	192-28-065	PREP	95-01-115
180-82-010	NEW-W	94-18-068	182-14-040	NEW-E	94-24-003	192-28-100	PREP	95-01-115
180-82-011	NEW-P	94-16-132	182-14-050	NEW-E	94-08-028	192-28-110	PREP	95-01-115
180-82-011	NEW-W	94-18-068	182-14-050	NEW-E	94-16-058	192-28-120	PREP	95-01-115
180-82-020	NEW-P	94-16-132	182-14-050	NEW-E	94-24-003	192-28-145	AMD-P	94-04-124
180-82-020	NEW-W	94-18-068	182-14-060	NEW-E	94-08-028	192-28-145	AMD	94-10-044
180-82-030	NEW-P	94-16-132	182-14-060	NEW-E	94-16-058	192-32-001	PREP	95-01-115
180-82-030	NEW-W	94-18-068	182-14-060	NEW-E	94-24-003	192-32-010	PREP	95-01-115
180-82-040	NEW-P	94-16-132	182-14-070	NEW-E	94-08-028	192-32-015	PREP	95-01-115
180-82-040	NEW-W	94-18-068	182-14-070	NEW-E	94-16-058	192-32-025	PREP	95-01-115
180-82-050	NEW-P	94-16-132	182-14-070	NEW-E	94-24-003	192-32-045	PREP	95-01-115
180-82-050	NEW-W	94-18-068	182-14-080	NEW-E	94-08-028	192-34	PREP	95-01-114
180-82-065	NEW-P	94-16-132	182-14-080	NEW-E	94-16-058	192-34-010	NEW	94-07-115
180-82-065	NEW-W	94-18-068	182-14-080	NEW-E	94-24-003	192-34-015	NEW	94-07-115
180-82-070	NEW-P	94-16-132	182-14-090	NEW-E	94-08-028	192-34-020	NEW	94-07-115
180-82-070	NEW-W	94-18-068	182-14-090	NEW-E	94-16-058	192-34-025	NEW	94-07-115
180-82-100	NEW-P	94-16-132	182-14-090	NEW-E	94-24-003	192-42-005	PREP	94-18-110
180-82-100	NEW-W	94-18-068	182-14-100	NEW-E	94-08-028	192-42-005	REP-P	95-01-113
180-82-110	NEW-P	94-16-132	182-14-100	NEW-E	94-16-058	192-42-010	REP-P	95-01-113
180-82-110	NEW-W	94-18-068	182-14-100	NEW-E	94-24-003	192-42-021	REP-P	95-01-113
180-82-115	NEW-P	94-16-132	192-04-060	PREP	94-18-111	192-42-030	REP-P	95-01-113
180-82-115	NEW-W	94-18-068	192-04-063	PREP	94-18-111	192-42-056	REP-P	95-01-113
180-82-120	NEW-P	94-16-132	192-04-090	PREP	94-18-111	192-42-057	REP-P	95-01-113
180-82-120	NEW-W	94-18-068	192-04-170	PREP	94-18-111	192-42-058	REP-P	95-01-113
180-82-130	NEW-P	94-16-132	192-04-175	PREP	94-18-111	192-42-081	REP-P	95-01-113
180-82-130	NEW-W	94-18-068	192-10-320	PREP	94-14-061	194-20-010	PREP	94-08-070
180-82-140	NEW-P	94-16-132	192-10-320	REP-P	94-18-124	194-20-020	PREP	94-08-070
180-82-140	NEW-W	94-18-068	192-10-320	REP	94-22-043	194-20-030	PREP	94-08-070
180-95	PREP	94-21-039	192-12-030	PREP	94-14-061	194-20-040	PREP	94-08-070
180-95-010	AMD	94-03-103	192-12-030	AMD-P	94-18-124	194-20-050	PREP	94-08-070
180-95-020	AMD	94-03-103	192-12-030	AMD	94-22-043	194-20-060	PREP	94-08-070
180-95-030	AMD	94-03-103	192-12-141	PREP	94-23-117	194-20-070	PREP	94-08-070
180-95-040	AMD	94-03-103	192-12-150	PREP	94-14-061	194-20-080	PREP	94-08-070
180-95-050	AMD	94-03-103	192-12-150	AMD-P	94-18-124	194-20-090	PREP	94-08-070
180-95-060	AMD	94-03-103	192-12-150	AMD	94-22-043	194-20-100	PREP	94-08-070
180-96-005	AMD	94-03-101	192-12-184	PREP	95-01-115	194-20-110	PREP	94-08-070
180-96-010	AMD	94-03-101	192-12-190	PREP	95-01-115	194-20-120	PREP	94-08-070
180-96-015	REP	94-03-101	192-12-320	PREP	95-01-115	194-20-130	PREP	94-08-070
180-96-025	REP	94-03-101	192-12-340	PREP	95-01-115	194-20-140	PREP	94-08-070
180-96-030	REP	94-03-101	192-16-005	PREP	94-18-110	194-20-150	PREP	94-08-070
180-96-035	AMD	94-03-101	192-16-007	PREP	95-01-115	194-20-160	PREP	94-08-070
180-96-045	AMD	94-03-101	192-16-010	PREP	94-18-110	194-20-170	PREP	94-08-070
180-96-048	NEW	94-03-101	192-16-017	PREP	95-01-115	194-20-180	PREP	94-08-070
180-96-050	AMD	94-03-101	192-16-019	PREP	95-01-115	194-20-190	PREP	94-08-070

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
194-22-010	PREP	94-08-070	197-11-235	NEW-P	94-19-083	212-80-065	AMD-P	94-21-096
194-22-010	NEW-P	94-11-128	197-11-235	NEW-E	94-20-001	212-80-065	AMD	94-24-032
194-22-010	NEW	94-20-103	197-11-250	NEW-P	94-19-083	212-80-110	AMD-P	94-21-096
194-22-020	PREP	94-08-070	197-11-253	NEW-P	94-19-083	212-80-110	AMD	94-24-032
194-22-020	NEW-P	94-11-128	197-11-256	NEW-P	94-19-083	212-80-115	AMD-P	94-21-096
194-22-020	NEW	94-20-103	197-11-259	NEW-P	94-19-083	212-80-115	AMD	94-24-032
194-22-030	PREP	94-08-070	197-11-262	NEW-P	94-19-083	212-80-135	AMD-P	94-21-096
194-22-030	NEW-P	94-11-128	197-11-265	NEW-P	94-19-083	212-80-135	AMD	94-24-032
194-22-030	NEW	94-20-103	197-11-268	NEW-P	94-19-083	220-12-020	AMD-P	94-23-149
194-22-040	PREP	94-08-070	197-11-305	AMD-P	94-19-083	220-12-02000B	NEW-E	94-07-052
194-22-040	NEW-P	94-11-128	197-11-340	AMD-P	94-19-083	220-12-02000C	NEW-E	94-18-074
194-22-040	NEW	94-20-103	197-11-680	AMD-P	94-19-083	220-16	AMD-C	94-14-068
194-22-050	PREP	94-08-070	197-11-748	REP-P	94-19-083	220-16-015	AMD-P	94-03-106
194-22-050	NEW-P	94-11-128	197-11-890	AMD-P	94-19-083	220-16-015	AMD-C	94-12-007
194-22-050	NEW	94-20-103	197-11-904	AMD-P	94-19-083	220-16-015	AMD	94-12-009
194-22-060	PREP	94-08-070	197-11-908	AMD-P	94-19-083	220-16-460	NEW-P	94-03-105
194-22-060	NEW-P	94-11-128	197-11-938	AMD-P	94-19-083	220-16-460	NEW	94-14-069
194-22-060	NEW	94-20-103	204-10-040	AMD-E	94-15-010	220-16-46000A	NEW-E	94-10-043
194-22-070	PREP	94-08-070	204-10-040	AMD-P	94-16-069	220-20-021	AMD-P	94-03-106
194-22-070	NEW-P	94-11-128	204-10-040	AMD	94-20-047	220-20-021	AMD-C	94-12-007
194-22-070	NEW	94-20-103	204-24-050	AMD-E	94-02-081	220-20-021	AMD	94-12-009
194-22-080	PREP	94-08-070	204-24-050	AMD-P	94-02-082	220-20-025	AMD-P	94-03-106
194-22-080	NEW-P	94-11-128	204-24-050	AMD	94-08-069	220-20-025	AMD-C	94-12-007
194-22-080	NEW	94-20-103	204-24-050	AMD-E	94-19-064	220-20-025	AMD	94-12-009
194-22-090	PREP	94-08-070	204-24-050	PREP	94-19-065	220-20-02500B	NEW-E	94-05-002
194-22-090	NEW-P	94-11-128	204-24-050	AMD-P	94-20-098	220-20-051	AMD-P	94-11-005
194-22-090	NEW	94-20-103	204-24-050	AMD-E	94-23-125	220-20-051	AMD	94-23-059
194-22-100	PREP	94-08-070	204-30-010	REP	94-05-024	220-20-05100A	REP-E	94-11-006
194-22-100	NEW-P	94-11-128	204-30-020	REP	94-05-024	220-20-05100B	NEW-E	94-11-006
194-22-100	NEW	94-20-103	204-30-030	REP	94-05-024	220-20-065	NEW-P	94-11-005
194-22-110	PREP	94-08-070	204-30-040	REP	94-05-024	220-20-065	NEW	94-23-059
194-22-110	NEW-P	94-11-128	204-30-050	REP	94-05-024	220-20-06500A	REP-E	94-11-006
194-22-110	NEW	94-20-103	204-30-060	REP	94-05-024	220-20-06500B	NEW-E	94-11-006
194-22-120	PREP	94-08-070	204-30-070	REP	94-05-024	220-22-030	AMD-P	94-09-071
194-22-120	NEW-P	94-11-128	204-30-080	REP	94-05-024	220-22-030	AMD	94-15-001
194-22-120	NEW	94-20-103	204-38-030	AMD-P	94-15-007	220-32-05100E	NEW-E	94-04-048
194-22-130	PREP	94-08-070	204-38-030	AMD	94-17-167	220-32-05100F	NEW-E	94-18-023
194-22-130	NEW-P	94-11-128	204-91A-010	AMD-P	94-15-008	220-32-05100F	REP-E	94-19-002
194-22-130	NEW	94-20-103	204-91A-010	AMD	94-18-083	220-32-05100G	NEW-E	94-19-002
194-22-140	PREP	94-08-070	204-91A-030	AMD-P	94-15-008	220-32-05100H	NEW-E	94-19-076
194-22-140	NEW-P	94-11-128	204-91A-030	AMD	94-18-083	220-32-05100H	REP-E	94-20-064
194-22-140	NEW	94-20-103	204-91A-040	AMD-P	94-15-008	220-32-05100I	NEW-E	94-20-029
194-22-150	PREP	94-08-070	204-91A-040	AMD	94-18-083	220-32-05100I	REP-E	94-20-076
194-22-150	NEW-P	94-11-128	204-91A-060	AMD-P	94-15-008	220-32-05100J	NEW-E	94-20-064
194-22-150	NEW	94-20-103	204-91A-060	AMD	94-18-083	220-32-05100K	NEW-E	94-20-076
194-22-160	PREP	94-08-070	204-91A-070	AMD-P	94-15-008	220-32-05100L	NEW-E	94-21-054
194-22-160	NEW-P	94-11-128	204-91A-070	AMD	94-18-083	220-32-05500F	NEW-E	94-09-022
194-22-160	NEW	94-20-103	204-91A-080	AMD-P	94-15-008	220-32-05500F	REP-E	94-13-016
194-22-170	PREP	94-08-070	204-91A-080	AMD	94-18-083	220-32-05500G	NEW-E	94-11-106
194-22-170	NEW-P	94-11-128	204-91A-110	AMD-P	94-15-008	220-32-05500H	NEW-E	94-13-016
194-22-170	NEW	94-20-103	204-91A-110	AMD	94-18-083	220-32-05500H	REP-E	94-14-036
194-22-180	PREP	94-08-070	204-91A-160	AMD-P	94-15-008	220-32-05500I	NEW-E	94-14-036
194-22-180	NEW-P	94-11-128	204-91A-160	AMD	94-18-083	220-32-05500J	NEW-E	94-21-052
194-22-180	NEW	94-20-103	204-91A-170	PREP	94-13-078	220-32-05900U	NEW-E	94-21-053
194-22-190	PREP	94-08-070	204-91A-170	AMD-P	94-15-008	220-32-05900U	REP-E	95-01-015
194-22-190	NEW-P	94-11-128	204-91A-170	AMD	94-18-083	220-32-05900V	NEW-E	95-01-015
194-22-190	NEW	94-20-103	204-91A-180	AMD-P	94-15-008	220-33-01000U	NEW-E	94-04-101
197-11	PREP	94-15-038	204-91A-180	AMD	94-18-083	220-33-01000U	REP-E	94-06-042
197-11-200	NEW-P	94-19-083	208-04-010	NEW	94-09-010	220-33-01000V	NEW-E	94-06-042
197-11-210	NEW-P	94-19-083	208-04-020	NEW	94-09-010	220-33-01000V	REP-E	94-07-009
197-11-220	NEW-P	94-19-083	208-04-030	NEW	94-09-010	220-33-01000W	NEW-E	94-07-009
197-11-225	NEW-E	94-12-032	212-80-015	AMD-P	94-21-096	220-33-01000X	NEW-E	94-21-024
197-11-225	NEW-E	94-20-001	212-80-015	AMD	94-24-032	220-33-01000X	REP-E	94-21-051
197-11-225	NEW-E	94-12-032	212-80-030	AMD-P	94-21-096	220-33-01000Y	NEW-E	94-21-051
197-11-228	NEW-P	94-19-083	212-80-030	AMD	94-24-032	220-33-01000Y	REP-E	94-21-070
197-11-228	NEW-E	94-20-001	212-80-035	AMD-P	94-21-096	220-33-01000Z	NEW-E	94-21-070
197-11-230	NEW-E	94-12-032	212-80-035	AMD	94-24-032	220-33-03000G	NEW-E	94-11-107
197-11-230	NEW-P	94-19-083	212-80-040	AMD-P	94-21-096	220-33-03000G	REP-E	94-13-121
197-11-230	NEW-E	94-20-001	212-80-040	AMD	94-24-032	220-33-03000H	NEW-E	94-13-121
197-11-232	NEW-E	94-12-032	212-80-045	AMD-P	94-21-096	220-33-03000H	REP-E	94-14-020
197-11-232	NEW-P	94-19-083	212-80-045	AMD	94-24-032	220-33-03000I	NEW-E	94-14-020
197-11-232	NEW-E	94-20-001	212-80-060	AMD-P	94-21-096	220-33-060	AMD-P	94-03-106
197-11-235	NEW-E	94-12-032	212-80-060	AMD	94-24-032	220-33-060	AMD-C	94-12-007

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
220-33-060	AMD	94-12-009	220-47-515	NEW-E	94-19-019	220-49-005	NEW	94-12-009
220-36-021	AMD-P	94-09-070	220-47-515	REP-E	94-19-048	220-49-011	AMD-P	94-03-106
220-36-021	AMD	94-13-014	220-47-516	NEW-E	94-19-048	220-49-011	AMD-C	94-12-007
220-36-023	AMD-P	94-09-070	220-47-516	REP-E	94-20-016	220-49-011	AMD	94-12-009
220-36-023	AMD	94-13-014	220-47-517	NEW-E	94-20-016	220-49-012	AMD-P	94-03-106
220-36-02300N	NEW-E	94-19-025	220-47-517	REP-E	94-20-063	220-49-012	AMD-C	94-12-007
220-36-02300N	REP-E	94-19-032	220-47-518	NEW-E	94-20-063	220-49-012	AMD	94-12-009
220-40-021	AMD-P	94-09-070	220-47-518	REP-E	94-21-022	220-49-013	AMD-P	94-03-106
220-40-021	AMD	94-13-014	220-47-519	NEW-E	94-21-022	220-49-013	AMD-C	94-12-007
220-40-027	AMD-P	94-09-070	220-47-519	REP-E	94-22-018	220-49-013	AMD	94-12-009
220-40-027	AMD-C	94-13-013	220-47-520	NEW-E	94-22-018	220-49-014	AMD-P	94-03-106
220-40-027	AMD	94-16-017	220-47-520	REP-E	94-22-046	220-49-014	AMD-C	94-12-007
220-40-02700J	NEW-E	94-23-025	220-47-521	NEW-E	94-22-046	220-49-014	AMD	94-12-009
220-44-020	AMD-P	94-03-106	220-47-521	REP-E	94-22-052	220-49-015	REP-P	94-03-106
220-44-020	AMD-C	94-12-007	220-47-522	NEW-E	94-22-052	220-49-015	REP-C	94-12-007
220-44-020	AMD	94-12-009	220-47-522	REP-E	94-23-001	220-49-015	REP	94-12-009
220-44-030	AMD-P	94-03-106	220-47-522	REP-E	94-23-016	220-49-016	REP-P	94-03-106
220-44-030	AMD-C	94-12-007	220-47-523	NEW-E	94-23-001	220-49-016	REP-C	94-12-007
220-44-030	AMD	94-12-009	220-47-524	NEW-E	94-23-016	220-49-016	REP	94-12-009
220-44-04000E	NEW-E	94-11-074	220-47-524	REP-E	94-23-054	220-49-017	AMD-P	94-03-106
220-44-050	AMD-P	94-10-073	220-47-525	NEW-E	94-23-054	220-49-017	AMD-C	94-12-007
220-44-050	AMD	94-13-077	220-47-525	REP-E	94-23-062	220-49-017	AMD	94-12-009
220-44-05000I	REP-E	94-05-003	220-47-526	NEW-E	94-23-062	220-49-020	AMD-P	94-03-106
220-44-05000J	NEW-E	94-05-003	220-47-526	REP-E	94-23-084	220-49-020	AMD-C	94-12-007
220-44-05000K	REP-E	94-14-071	220-47-527	NEW-E	94-23-084	220-49-020	AMD	94-12-009
220-44-05000K	NEW-E	94-14-071	220-47-527	REP-E	94-23-104	220-49-02000F	NEW-E	94-04-047
220-44-05000L	NEW-E	94-24-005	220-47-528	NEW-E	94-23-104	220-49-02000G	NEW-E	94-09-021
220-44-090	NEW-P	94-03-106	220-47-528	REP-E	94-23-004	220-49-021	AMD-P	94-03-106
220-44-090	NEW-C	94-12-007	220-47-528	NEW-E	94-23-004	220-49-021	AMD-C	94-12-007
220-44-090	NEW	94-12-009	220-48-001	AMD-P	94-03-106	220-49-021	AMD	94-12-009
220-44-09000C	NEW-E	94-11-073	220-48-001	AMD-C	94-12-007	220-49-022	REP-P	94-03-106
220-44-09000C	REP-E	94-13-015	220-48-001	AMD	94-12-009	220-49-022	REP-C	94-12-007
220-44-09000D	NEW-E	94-13-015	220-48-005	AMD-P	94-03-106	220-49-022	REP	94-12-009
220-47-304	AMD-P	94-09-071	220-48-005	AMD-C	94-12-007	220-49-023	AMD-P	94-03-106
220-47-304	AMD	94-15-001	220-48-005	AMD	94-12-009	220-49-023	AMD-C	94-12-007
220-47-307	AMD-P	94-09-071	220-48-00500A	NEW-E	94-24-020	220-49-023	AMD	94-12-009
220-47-307	AMD	94-15-001	220-48-011	AMD-P	94-03-106	220-49-024	AMD-P	94-03-106
220-47-311	AMD-P	94-09-071	220-48-011	AMD-C	94-12-007	220-49-024	AMD-C	94-12-007
220-47-311	AMD	94-15-001	220-48-011	AMD	94-12-009	220-49-024	AMD	94-12-009
220-47-401	AMD-P	94-09-071	220-48-015	AMD-P	94-03-106	220-49-025	REP-P	94-03-106
220-47-401	AMD	94-15-001	220-48-015	AMD-C	94-12-007	220-49-025	REP-C	94-12-007
220-47-411	AMD-P	94-09-071	220-48-015	AMD	94-12-009	220-49-025	REP	94-12-009
220-47-411	AMD	94-15-001	220-48-015	AMD-P	94-13-064	220-49-026	REP-P	94-03-106
220-47-412	AMD-P	94-09-071	220-48-015	AMD	94-19-001	220-49-026	REP-C	94-12-007
220-47-412	AMD	94-15-001	220-48-016	NEW-P	94-03-106	220-49-026	REP	94-12-009
220-47-501	NEW-E	94-16-078	220-48-016	NEW-C	94-12-007	220-49-026	REP-P	94-03-106
220-47-501	REP-E	94-17-005	220-48-016	NEW	94-12-009	220-49-026	REP-C	94-12-007
220-47-502	NEW-E	94-17-005	220-48-017	AMD-P	94-03-106	220-49-026	REP	94-12-009
220-47-502	REP-E	94-17-021	220-48-017	AMD-C	94-12-007	220-49-026	REP-P	94-03-106
220-47-503	NEW-E	94-17-021	220-48-017	AMD	94-12-009	220-49-026	AMD-P	94-12-007
220-47-503	REP-E	94-17-067	220-48-019	AMD-P	94-03-106	220-49-026	AMD	94-12-009
220-47-504	NEW-E	94-17-067	220-48-019	AMD-C	94-12-007	220-49-027	AMD-P	94-03-106
220-47-504	REP-E	94-17-093	220-48-019	AMD	94-12-009	220-49-027	AMD-C	94-12-007
220-47-505	NEW-E	94-17-093	220-48-028	AMD-P	94-03-106	220-49-027	AMD	94-12-009
220-47-505	REP-E	94-17-120	220-48-028	AMD-C	94-12-007	220-49-027	AMD-P	94-03-106
220-47-506	NEW-E	94-17-120	220-48-028	AMD	94-12-009	220-49-027	AMD-C	94-12-007
220-47-506	REP-E	94-17-130	220-48-031	AMD-P	94-03-106	220-49-027	AMD	94-12-009
220-47-507	NEW-E	94-17-130	220-48-031	AMD-C	94-12-007	220-49-06300A	NEW-E	94-07-063
220-47-507	REP-E	94-17-146	220-48-031	AMD	94-12-009	220-49-06300A	REP-E	94-07-077
220-47-508	NEW-E	94-17-146	220-48-041	AMD-P	94-03-106	220-49-06300B	NEW-E	94-07-077
220-47-508	REP-E	94-17-162	220-48-041	AMD-C	94-12-007	220-49-064	AMD-P	94-03-106
220-47-509	NEW-E	94-17-162	220-48-041	AMD	94-12-009	220-49-064	AMD-C	94-12-007
220-47-509	REP-E	94-18-016	220-48-051	AMD-P	94-03-106	220-49-064	AMD	94-12-009
220-47-510	NEW-E	94-18-016	220-48-051	AMD-C	94-12-007	220-49-06400A	NEW-E	94-07-063
220-47-510	REP-E	94-18-030	220-48-051	AMD	94-12-009	220-49-06400A	REP-E	94-07-077
220-47-511	NEW-E	94-18-030	220-48-061	AMD-P	94-03-106	220-49-06400B	NEW-E	94-07-077
220-47-511	REP-E	94-18-062	220-48-061	AMD-C	94-12-007	220-52-010	AMD-P	94-03-106
220-47-512	NEW-E	94-18-062	220-48-061	AMD	94-12-009	220-52-010	AMD-C	94-12-007
220-47-512	REP-E	94-18-071	220-48-071	AMD-P	94-03-106	220-52-010	AMD	94-12-009
220-47-513	NEW-E	94-18-071	220-48-071	AMD-C	94-12-007	220-52-018	AMD-P	94-03-106
220-47-513	REP-E	94-18-098	220-48-071	AMD	94-12-009	220-52-018	AMD-C	94-12-007
220-47-514	NEW-E	94-18-098	220-49-005	NEW-P	94-03-106	220-52-018	AMD	94-12-009
220-47-514	REP-E	94-19-019	220-49-005	NEW-C	94-12-007	220-52-019	AMD-P	94-03-106

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
220-52-019	AMD-C	94-12-007	220-52-07300U	NEW-E	94-23-085	220-56-23500H	NEW-E	94-10-043
220-52-019	AMD	94-12-009	220-52-075	AMD-P	94-03-106	220-56-240	AMD-P	94-03-105
220-52-01901	AMD-P	94-03-106	220-52-075	AMD-C	94-12-007	220-56-240	AMD	94-14-069
220-52-01901	AMD-C	94-12-007	220-52-075	AMD	94-12-009	220-56-240	AMD-P	94-23-149
220-52-01901	AMD	94-12-009	220-55-00100B	NEW-E	94-13-049	220-56-245	AMD-P	94-03-105
220-52-020	AMD-P	94-03-106	220-55-015	AMD-P	94-11-005	220-56-245	AMD	94-14-069
220-52-020	AMD-C	94-12-007	220-55-015	AMD	94-23-059	220-56-245	AMD-P	94-23-149
220-52-020	AMD	94-12-009	220-55-01500A	REP-E	94-11-006	220-56-24500M	NEW-E	94-10-043
220-52-030	AMD-P	94-03-106	220-55-01500B	NEW-E	94-11-006	220-56-255	AMD-P	94-03-105
220-52-030	AMD-C	94-12-007	220-55-155	NEW-P	94-11-005	220-56-255	AMD	94-14-069
220-52-030	AMD	94-12-009	220-55-155	NEW	94-23-059	220-56-255	AMD-P	94-23-149
220-52-03000H	NEW-E	94-16-003	220-55-15500A	REP-E	94-11-006	220-56-25500U	NEW-E	94-10-043
220-52-040	AMD-P	94-03-106	220-55-15500B	NEW-E	94-11-006	220-56-25500U	REP-E	94-12-062
220-52-040	AMD-C	94-12-007	220-56	AMD-C	94-14-068	220-56-25500V	NEW-E	94-12-062
220-52-040	AMD	94-12-009	220-56-100	AMD-P	94-03-105	220-56-25500V	REP-E	94-13-063
220-52-043	AMD-P	94-03-106	220-56-100	AMD	94-14-069	220-56-25500W	NEW-E	94-13-063
220-52-043	AMD-C	94-12-007	220-56-100	AMD-P	94-23-149	220-56-265	AMD-P	94-23-149
220-52-043	AMD	94-12-009	220-56-10000A	NEW-E	94-10-043	220-56-282	AMD-P	94-23-149
220-52-046	AMD-P	94-03-106	220-56-105	AMD-P	94-03-105	220-56-285	AMD-P	94-03-105
220-52-046	AMD-C	94-12-007	220-56-105	AMD	94-14-069	220-56-285	AMD	94-14-069
220-52-046	AMD	94-12-009	220-56-105	AMD-P	94-23-149	220-56-285	AMD-P	94-23-149
220-52-04600X	NEW-E	94-24-006	220-56-10500C	NEW-E	94-08-014	220-56-28500B	NEW-E	94-10-043
220-52-04600X	REP-E	95-01-052	220-56-10500C	REP-E	94-10-036	220-56-28500C	NEW-E	94-18-118
220-52-04600Y	NEW-E	95-01-052	220-56-115	AMD-P	94-23-149	220-56-305	AMD-P	94-03-105
220-52-050	AMD-P	94-03-106	220-56-11500A	NEW-E	94-10-043	220-56-305	AMD	94-14-069
220-52-050	AMD-C	94-12-007	220-56-11500B	NEW-E	94-18-074	220-56-305	AMD-P	94-23-149
220-52-050	AMD	94-12-009	220-56-116	AMD-P	94-23-149	220-56-30500A	NEW-E	94-10-043
220-52-051	AMD-P	94-03-098	220-56-11600A	NEW-E	94-19-028	220-56-307	AMD-P	94-03-105
220-52-051	AMD-P	94-03-106	220-56-11600A	REP-E	94-21-062	220-56-307	AMD	94-14-069
220-52-051	AMD	94-07-092	220-56-123	NEW-P	94-03-105	220-56-30700A	NEW-E	94-10-043
220-52-051	AMD-C	94-12-007	220-56-123	NEW	94-14-069	220-56-310	AMD-P	94-23-149
220-52-051	AMD-W	94-12-061	220-56-124	AMD-P	94-03-105	220-56-312	AMD-P	94-23-149
220-52-05100Q	NEW-E	94-11-072	220-56-124	AMD	94-14-069	220-56-315	AMD-P	94-03-105
220-52-05100R	NEW-E	94-19-008	220-56-124	AMD-P	94-23-149	220-56-315	AMD	94-14-069
220-52-060	AMD-P	94-03-106	220-56-12400A	NEW-E	94-23-080	220-56-31500B	NEW-E	94-10-043
220-52-060	AMD-C	94-12-007	220-56-125	REP-P	94-23-149	220-56-320	AMD-P	94-03-105
220-52-060	AMD	94-12-009	220-56-126	AMD-P	94-23-149	220-56-320	AMD	94-14-069
220-52-063	AMD-P	94-03-106	220-56-127	REP-P	94-23-149	220-56-3200Z	NEW-E	94-11-072
220-52-063	AMD-C	94-12-007	220-56-128	AMD-P	94-03-105	220-56-32500A	NEW-E	94-12-008
220-52-063	AMD	94-12-009	220-56-128	AMD	94-14-069	220-56-32500A	REP-E	94-13-076
220-52-066	AMD-P	94-03-106	220-56-128	AMD-P	94-23-149	220-56-330	AMD-P	94-23-149
220-52-066	AMD-C	94-12-007	220-56-128	AMD-P	94-23-149	220-56-335	AMD-P	94-23-149
220-52-066	AMD	94-12-009	220-56-12800I	NEW-E	94-10-043	220-56-340	AMD-P	94-23-149
220-52-068	AMD-P	94-03-106	220-56-130	AMD-P	94-23-149	220-56-350	AMD-P	94-03-105
220-52-068	AMD-C	94-12-007	220-56-134	NEW-P	94-23-149	220-56-350	AMD	94-14-069
220-52-068	AMD	94-12-009	220-56-180	AMD-P	94-23-149	220-56-350	AMD-P	94-23-149
220-52-069	AMD-P	94-03-106	220-56-185	AMD-P	94-23-149	220-56-35000A	NEW-E	94-16-032
220-52-069	AMD-C	94-12-007	220-56-190	AMD-P	94-03-105	220-56-35000A	REP-E	94-17-092
220-52-069	AMD	94-12-009	220-56-190	AMD	94-14-069	220-56-35000B	NEW-E	94-17-092
220-52-070	AMD-P	94-03-106	220-56-190	AMD-P	94-23-149	220-56-35000B	REP-E	95-01-053
220-52-070	AMD-C	94-12-007	220-56-19000X	NEW-E	94-10-043	220-56-35000C	NEW-E	95-01-053
220-52-070	AMD	94-12-009	220-56-19000Y	NEW-E	94-19-018	220-56-35000C	NEW-E	94-07-052
220-52-071	AMD-P	94-03-106	220-56-19000Y	REP-E	94-21-062	220-56-35000X	NEW-E	94-07-076
220-52-071	AMD-C	94-12-007	220-56-19000Z	NEW-E	94-21-062	220-56-35000X	REP-E	94-07-076
220-52-071	AMD	94-12-009	220-56-191	AMD-P	94-03-105	220-56-35000Y	NEW-E	94-07-076
220-52-07100P	NEW-E	94-10-037	220-56-191	AMD	94-14-069	220-56-35000Y	REP-E	94-12-033
220-52-07100P	REP-E	94-13-040	220-56-191	AMD-P	94-23-149	220-56-35000Z	NEW-E	94-12-033
220-52-07100Q	NEW-E	94-13-040	220-56-19100E	NEW-E	94-10-043	220-56-35000Z	REP-E	94-16-032
220-52-07100Q	REP-E	94-13-136	220-56-19100E	REP-E	94-14-062	220-56-36000H	NEW-E	94-07-003
220-52-07100R	NEW-E	94-13-136	220-56-19100F	NEW-E	94-14-062	220-56-36000H	REP-E	94-08-009
220-52-07100R	REP-E	94-14-042	220-56-19100F	REP-E	94-17-055	220-56-36000I	NEW-E	94-08-009
220-52-07100S	NEW-E	94-14-042	220-56-19100G	NEW-E	94-17-055	220-56-36000I	REP-E	94-09-023
220-52-07100S	REP-E	94-15-055	220-56-19100G	REP-E	94-22-047	220-56-36000J	NEW-E	94-09-023
220-52-07100T	NEW-E	94-15-055	220-56-195	AMD-P	94-03-105	220-56-36000J	REP-E	94-10-038
220-52-07100T	REP-E	94-16-023	220-56-195	AMD	94-14-069	220-56-36000K	NEW-E	94-10-038
220-52-07100U	NEW-E	94-16-023	220-56-195	AMD-P	94-23-149	220-56-36000L	NEW-E	94-20-050
220-52-073	AMD-P	94-03-106	220-56-196	AMD-P	94-23-149	220-56-365	AMD-P	94-23-149
220-52-073	AMD-C	94-12-007	220-56-199	AMD-P	94-23-149	220-56-370	AMD-P	94-23-149
220-52-073	AMD	94-12-009	220-56-205	AMD-P	94-23-149	220-56-380	AMD-P	94-03-105
220-52-07300R	REP-E	94-03-063	220-56-210	AMD-P	94-23-149	220-56-380	AMD	94-14-069
220-52-07300S	NEW-E	94-03-063	220-56-225	AMD-P	94-23-149	220-56-380	AMD-P	94-23-149
220-52-07300S	REP-E	94-05-055	220-56-235	AMD-P	94-03-105	220-56-38000R	NEW-E	94-07-052
220-52-07300T	NEW-E	94-05-055	220-56-235	AMD	94-14-069	220-56-38000R	REP-E	94-07-076
			220-56-235	AMD-P	94-23-149	220-56-38000S	NEW-E	94-07-076

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
220-56-38000S	REP-E	94-12-033	220-57-205	AMD-P	94-23-149	220-57-31500Z	NEW-E	94-10-036
220-56-38000T	NEW-E	94-12-033	220-57-210	AMD-P	94-03-105	220-57-319	AMD-P	94-03-105
220-56-38000T	REP-E	94-16-032	220-57-210	AMD	94-14-069	220-57-319	AMD	94-14-069
220-56-38000U	NEW-E	94-16-032	220-57-210	AMD-P	94-23-149	220-57-319	AMD-P	94-23-149
220-56-38000U	REP-E	94-17-092	220-57-215	AMD-P	94-03-105	220-57-31900A	NEW-E	94-18-099
220-56-38000V	NEW-E	94-17-092	220-57-215	AMD	94-14-069	220-57-31900A	REP-E	94-18-117
220-56-38000V	REP-E	95-01-053	220-57-215	AMD-P	94-23-149	220-57-31900H	NEW-E	94-18-117
220-56-38000W	NEW-E	95-01-053	220-57-220	AMD-P	94-23-149	220-57-31900H	REP-E	94-20-014
220-56-382	AMD-P	94-03-105	220-57-22000C	NEW-E	94-13-003	220-57-321	NEW-P	94-23-149
220-56-382	AMD	94-14-069	220-57-230	AMD-P	94-03-105	220-57-326	AMD-P	94-23-149
220-56-38200A	NEW-E	94-10-043	220-57-230	AMD-W	94-16-108	220-57-327	AMD-P	94-23-149
220-56-390	AMD-P	94-03-105	220-57-230	AMD-P	94-23-149	220-57-335	AMD-P	94-03-105
220-56-390	AMD	94-14-069	220-57-23000F	NEW-E	94-19-018	220-57-335	AMD	94-14-069
220-56-390	AMD-P	94-23-149	220-57-23000F	REP-E	94-21-062	220-57-335	AMD-P	94-23-149
220-56-400	AMD-P	94-03-105	220-57-23000G	NEW-E	94-21-062	220-57-33500H	NEW-E	94-21-058
220-56-400	AMD	94-14-069	220-57-235	REP-P	94-03-105	220-57-33500H	REP-E	94-21-060
220-56-40000C	NEW-E	94-10-043	220-57-235	REP-W	94-16-108	220-57-33500I	NEW-E	94-21-060
220-56-405	AMD-P	94-03-105	220-57-235	AMD-P	94-23-149	220-57-33500I	REP-E	94-22-019
220-56-405	AMD	94-14-069	220-57-23500F	NEW-E	94-18-074	220-57-340	AMD-P	94-23-149
220-56-410	AMD-P	94-03-105	220-57-23500F	REP-E	94-20-014	220-57-342	AMD-P	94-23-149
220-56-410	AMD	94-14-069	220-57-23500F	REP-E	94-21-062	220-57-345	AMD-P	94-23-149
220-56-415	NEW-P	94-03-105	220-57-23500G	NEW-E	94-20-014	220-57-350	AMD-P	94-03-105
220-56-415	NEW	94-14-069	220-57-240	AMD-P	94-23-149	220-57-350	AMD	94-14-069
220-57	AMD-C	94-14-068	220-57-250	AMD-P	94-03-105	220-57-350	AMD-P	94-23-149
220-57-001	AMD-P	94-23-149	220-57-250	AMD	94-14-069	220-57-355	AMD-P	94-23-149
220-57-120	AMD-P	94-23-149	220-57-250	AMD-P	94-23-149	220-57-365	AMD-P	94-23-149
220-57-130	AMD-P	94-03-105	220-57-25000A	NEW-E	94-18-099	220-57-370	AMD-P	94-03-105
220-57-130	AMD	94-14-069	220-57-255	AMD-P	94-03-105	220-57-370	AMD-W	94-16-108
220-57-130	AMD-P	94-23-149	220-57-255	AMD	94-14-069	220-57-370	AMD-P	94-23-149
220-57-13000S	NEW-E	94-21-023	220-57-255	AMD-P	94-23-149	220-57-37000F	NEW-E	94-14-062
220-57-135	AMD-P	94-03-105	220-57-25500A	NEW-E	94-18-099	220-57-380	AMD-P	94-23-149
220-57-135	AMD	94-14-069	220-57-260	AMD-P	94-23-149	220-57-385	AMD-P	94-03-105
220-57-135	AMD-P	94-23-149	220-57-26000A	NEW-E	94-13-003	220-57-385	AMD	94-14-069
220-57-13500Q	NEW-E	94-21-023	220-57-265	AMD-P	94-23-149	220-57-385	AMD-P	94-23-149
220-57-137	AMD-P	94-23-149	220-57-270	AMD-P	94-03-105	220-57-38500V	NEW-E	94-13-071
220-57-138	AMD-P	94-23-149	220-57-270	AMD	94-14-069	220-57-38500W	NEW-E	94-21-023
220-57-140	AMD-P	94-03-105	220-57-270	AMD-P	94-23-149	220-57-390	AMD-P	94-23-149
220-57-140	AMD	94-14-069	220-57-280	AMD-P	94-03-105	220-57-395	AMD-P	94-23-149
220-57-140	AMD-P	94-23-149	220-57-280	AMD	94-14-069	220-57-39500A	NEW-E	94-18-099
220-57-14000Q	NEW-E	94-10-068	220-57-280	AMD-P	94-23-149	220-57-400	AMD-P	94-03-105
220-57-14000M	NEW-E	94-19-018	220-57-28000J	NEW-E	94-19-018	220-57-400	AMD	94-14-069
220-57-14000M	REP-E	94-20-034	220-57-28000J	REP-E	94-21-062	220-57-400	AMD-P	94-23-149
220-57-14000N	NEW-E	94-20-034	220-57-28000K	NEW-E	94-21-062	220-57-405	AMD-P	94-23-149
220-57-14000N	REP-E	94-21-062	220-57-285	AMD-P	94-03-105	220-57-410	AMD-P	94-23-149
220-57-14000P	NEW-E	94-21-062	220-57-285	AMD	94-14-069	220-57-41000C	NEW-E	94-18-074
220-57-155	AMD-P	94-03-105	220-57-285	AMD-P	94-23-149	220-57-415	AMD-P	94-03-105
220-57-155	AMD	94-14-069	220-57-28500N	NEW-E	94-19-018	220-57-415	AMD	94-14-069
220-57-155	AMD-P	94-23-149	220-57-28500N	REP-E	94-21-062	220-57-415	AMD-P	94-23-149
220-57-160	AMD-P	94-23-149	220-57-28500P	NEW-E	94-21-062	220-57-41500A	NEW-E	94-22-040
220-57-16000T	NEW-E	94-08-049	220-57-290	AMD-P	94-23-149	220-57-425	AMD-P	94-03-105
220-57-16000U	NEW-E	94-10-036	220-57-29000P	NEW-E	94-08-014	220-57-425	AMD	94-14-069
220-57-16000U	REP-E	94-15-036	220-57-29000P	REP-E	94-11-127	220-57-425	AMD-P	94-23-149
220-57-16000V	NEW-E	94-15-036	220-57-29000Q	NEW-E	94-11-127	220-57-427	AMD-P	94-23-149
220-57-16000W	NEW-E	94-16-077	220-57-295	AMD-P	94-23-149	220-57-42700A	NEW-E	94-18-099
220-57-16000W	REP-E	94-19-075	220-57-300	AMD-P	94-03-105	220-57-430	AMD-P	94-03-105
220-57-16000X	NEW-E	94-19-075	220-57-300	AMD	94-14-069	220-57-430	AMD	94-14-069
220-57-16000X	REP-E	94-19-047	220-57-300	AMD-P	94-23-149	220-57-430	AMD-P	94-23-149
220-57-16000Y	NEW-E	94-19-047	220-57-30000G	NEW-E	94-19-018	220-57-435	AMD-P	94-03-105
220-57-16000Y	REP-E	94-21-019	220-57-30000G	REP-E	94-21-062	220-57-435	AMD	94-14-069
220-57-165	AMD-P	94-23-149	220-57-30000H	NEW-E	94-21-062	220-57-435	AMD-P	94-23-149
220-57-170	AMD-P	94-23-149	220-57-305	AMD-P	94-23-149	220-57-440	AMD-P	94-23-149
220-57-17000A	NEW-E	94-18-099	220-57-310	AMD-P	94-03-105	220-57-450	AMD-P	94-03-105
220-57-175	AMD-P	94-23-149	220-57-310	AMD	94-14-069	220-57-450	AMD	94-14-069
220-57-17500A	NEW-E	94-18-117	220-57-310	AMD-P	94-23-149	220-57-450	AMD-P	94-23-149
220-57-17500Y	NEW-E	94-11-075	220-57-31000A	NEW-E	94-18-099	220-57-455	AMD-P	94-03-105
220-57-17500Z	NEW-E	94-18-099	220-57-31000A	REP-E	94-18-117	220-57-455	AMD	94-14-069
220-57-17500Z	REP-E	94-18-117	220-57-31000L	NEW-E	94-18-117	220-57-455	AMD-P	94-23-149
220-57-181	AMD-P	94-23-149	220-57-31000L	REP-E	94-20-014	220-57-460	AMD-P	94-23-149
220-57-190	AMD-P	94-23-149	220-57-31000M	NEW-E	94-20-014	220-57-46000A	NEW-E	94-13-071
220-57-200	AMD-P	94-03-105	220-57-315	AMD-P	94-23-149	220-57-46000B	NEW-E	94-21-023
220-57-200	AMD	94-14-069	220-57-31500Y	NEW-E	94-08-014	220-57-465	AMD-P	94-03-105
220-57-200	AMD-P	94-23-149	220-57-31500Y	REP-E	94-10-036	220-57-465	AMD	94-14-069
220-57-20000I	NEW-E	94-21-023				220-57-465	AMD-P	94-23-149

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
220-57-470	AMD-P	94-23-149	220-57A-15200B	NEW-E	94-11-068	220-110-130	AMD-C	94-23-057
220-57-473	AMD-P	94-03-105	220-57A-175	AMD-P	94-23-149	220-110-130	AMD	94-23-058
220-57-473	AMD	94-14-069	220-57A-17500B	NEW-E	94-18-074	220-110-140	AMD-P	94-11-126
220-57-473	AMD-P	94-23-149	220-57A-180	AMD-P	94-23-149	220-110-140	AMD-C	94-23-057
220-57-47300A	NEW-E	94-10-043	220-57A-18000B	NEW-E	94-18-074	220-110-140	AMD	94-23-058
220-57-480	AMD-P	94-03-105	220-57A-18000B	REP-E	94-19-042	220-110-150	AMD-P	94-11-126
220-57-480	AMD	94-14-069	220-57A-18000C	NEW-E	94-19-042	220-110-150	AMD-C	94-23-057
220-57-480	AMD-P	94-23-149	220-57A-183	AMD-P	94-23-149	220-110-150	AMD	94-23-058
220-57-48000A	NEW-E	94-18-099	220-57A-18300D	NEW-E	94-15-036	220-110-160	AMD-P	94-11-126
220-57-490	AMD-P	94-03-105	220-57A-185	AMD-P	94-23-149	220-110-160	AMD-C	94-23-057
220-57-490	AMD	94-14-069	220-57A-190	AMD-P	94-23-149	220-110-160	AMD	94-23-058
220-57-495	AMD-P	94-03-105	220-69-25000A	NEW-E	95-01-052	220-110-170	AMD-P	94-11-126
220-57-495	AMD	94-14-069	220-88A-010	NEW-P	94-03-098	220-110-170	AMD-C	94-23-057
220-57-495	AMD-P	94-23-149	220-88A-010	NEW	94-07-092	220-110-170	AMD	94-23-058
220-57-49500A	NEW-E	94-18-099	220-88A-020	NEW-P	94-03-098	220-110-180	AMD-P	94-11-126
220-57-49500L	NEW-E	94-10-043	220-88A-020	NEW	94-07-092	220-110-180	AMD-C	94-23-057
220-57-497	AMD-P	94-23-149	220-88A-030	NEW-P	94-03-098	220-110-180	AMD	94-23-058
220-57-49700H	NEW-E	94-08-014	220-88A-030	NEW	94-07-092	220-110-190	AMD-P	94-11-126
220-57-49700H	REP-E	94-11-127	220-88A-040	NEW-P	94-03-098	220-110-190	AMD-C	94-23-057
220-57-49700I	NEW-E	94-11-127	220-88A-040	NEW	94-07-092	220-110-190	AMD	94-23-058
220-57-502	AMD-P	94-23-149	220-88A-050	NEW-P	94-03-098	220-110-200	AMD-P	94-11-126
220-57-505	AMD-P	94-23-149	220-88A-050	NEW	94-07-092	220-110-200	AMD-C	94-23-057
220-57-50500V	NEW-E	94-08-014	220-88A-060	NEW-P	94-03-098	220-110-200	AMD	94-23-058
220-57-50500V	REP-E	94-10-036	220-88A-060	NEW	94-07-092	220-110-210	AMD-P	94-11-126
220-57-50500W	NEW-E	94-10-036	220-88A-070	NEW-P	94-03-098	220-110-210	AMD-C	94-23-057
220-57-510	AMD-P	94-23-149	220-88A-070	NEW	94-07-092	220-110-210	AMD	94-23-058
220-57-51000J	NEW-E	94-21-058	220-88A-080	NEW-P	94-03-098	220-110-220	AMD-P	94-11-126
220-57-51000J	REP-E	94-21-060	220-88A-080	NEW	94-07-092	220-110-220	AMD-C	94-23-057
220-57-51000K	NEW-E	94-21-060	220-88A-080	AMD-P	94-13-064	220-110-220	AMD	94-23-058
220-57-51000K	REP-E	94-22-019	220-88A-080	AMD	94-19-001	220-110-223	NEW-P	94-11-126
220-57-515	AMD-P	94-23-149	220-110-010	AMD-P	94-11-126	220-110-223	NEW-C	94-23-057
220-57-51500K	NEW-E	94-08-014	220-110-010	AMD-C	94-23-057	220-110-223	NEW	94-23-058
220-57-51500K	REP-E	94-10-036	220-110-010	AMD	94-23-058	220-110-224	NEW-P	94-11-126
220-57-520	AMD-P	94-03-105	220-110-020	AMD-P	94-11-126	220-110-224	NEW-C	94-23-057
220-57-520	AMD	94-14-069	220-110-020	AMD-C	94-23-057	220-110-224	NEW	94-23-058
220-57-520	AMD-P	94-23-149	220-110-020	AMD	94-23-058	220-110-230	AMD-P	94-11-126
220-57-52000J	NEW-E	94-19-018	220-110-030	AMD-P	94-11-126	220-110-230	AMD-C	94-23-057
220-57-52000J	REP-E	94-21-062	220-110-030	AMD-C	94-23-057	220-110-230	AMD	94-23-058
220-57-52000K	NEW-E	94-21-062	220-110-030	AMD	94-23-058	220-110-240	AMD-P	94-11-126
220-57-525	AMD-P	94-03-105	220-110-032	NEW-P	94-11-126	220-110-240	AMD-C	94-23-057
220-57-525	AMD	94-14-069	220-110-032	NEW-C	94-23-057	220-110-240	AMD	94-23-058
220-57-525	AMD-P	94-23-149	220-110-032	NEW	94-23-058	220-110-250	AMD-P	94-11-126
220-57-52500J	NEW-E	94-19-018	220-110-035	NEW-P	94-11-126	220-110-250	AMD-C	94-23-057
220-57-52500J	REP-E	94-21-062	220-110-035	NEW-C	94-23-057	220-110-250	AMD	94-23-058
220-57-52500K	NEW-E	94-21-062	220-110-035	NEW	94-23-058	220-110-260	REP-P	94-11-126
220-57A	AMD-C	94-14-068	220-110-040	AMD-P	94-11-126	220-110-260	REP-C	94-23-057
220-57A-001	AMD-P	94-23-149	220-110-040	AMD-C	94-23-057	220-110-260	REP	94-23-058
220-57A-00100A	NEW-E	94-11-068	220-110-040	AMD	94-23-058	220-110-270	AMD-P	94-11-126
220-57A-00100A	REP-E	94-12-012	220-110-050	AMD-P	94-11-126	220-110-270	AMD-C	94-23-057
220-57A-00100B	NEW-E	94-12-012	220-110-050	AMD-C	94-23-057	220-110-270	AMD	94-23-058
220-57A-012	AMD-P	94-03-105	220-110-050	AMD	94-23-058	220-110-271	NEW-P	94-11-126
220-57A-012	AMD	94-14-069	220-110-060	AMD-P	94-11-126	220-110-271	NEW-C	94-23-057
220-57A-01200A	NEW-E	94-10-043	220-110-060	AMD-C	94-23-057	220-110-271	NEW	94-23-058
220-57A-01200A	REP-E	94-11-068	220-110-060	AMD	94-23-058	220-110-280	AMD-P	94-11-126
220-57A-01200B	NEW-E	94-11-068	220-110-070	AMD-P	94-11-126	220-110-280	AMD-C	94-23-057
220-57A-015	AMD-P	94-23-149	220-110-070	AMD-C	94-23-057	220-110-280	AMD	94-23-058
220-57A-017	AMD-P	94-23-149	220-110-070	AMD	94-23-058	220-110-285	NEW-P	94-11-126
220-57A-030	AMD-P	94-23-149	220-110-080	AMD-P	94-11-126	220-110-285	NEW-C	94-23-057
220-57A-035	AMD-P	94-23-149	220-110-080	AMD-C	94-23-057	220-110-285	NEW	94-23-058
220-57A-037	AMD-P	94-23-149	220-110-080	AMD	94-23-058	220-110-290	AMD-P	94-11-126
220-57A-040	AMD-P	94-23-149	220-110-090	REP-P	94-11-126	220-110-290	AMD-C	94-23-057
220-57A-045	AMD-P	94-23-149	220-110-090	REP-C	94-23-057	220-110-290	AMD	94-23-058
220-57A-110	AMD-P	94-23-149	220-110-090	REP	94-23-058	220-110-300	AMD-P	94-11-126
220-57A-112	AMD-P	94-23-149	220-110-100	AMD-P	94-11-126	220-110-300	AMD-C	94-23-057
220-57A-120	AMD-P	94-23-149	220-110-100	AMD-C	94-23-057	220-110-300	AMD	94-23-058
220-57A-125	AMD-P	94-23-149	220-110-100	AMD	94-23-058	220-110-310	AMD-P	94-11-126
220-57A-140	AMD-P	94-23-149	220-110-110	REP-P	94-11-126	220-110-310	AMD-C	94-23-057
220-57A-145	AMD-P	94-23-149	220-110-110	REP-C	94-23-057	220-110-310	AMD	94-23-058
220-57A-14500A	NEW-E	94-18-074	220-110-110	REP	94-23-057	220-110-320	AMD-P	94-11-126
220-57A-152	AMD-P	94-03-105	220-110-120	AMD-P	94-11-126	220-110-320	AMD-C	94-23-057
220-57A-152	AMD	94-14-069	220-110-120	AMD-C	94-23-057	220-110-320	AMD	94-23-058
220-57A-15200A	NEW-E	94-10-043	220-110-120	AMD	94-23-058	220-110-330	AMD-P	94-11-126
220-57A-15200A	REP-E	94-11-068	220-110-130	AMD-P	94-11-126	220-110-330	AMD-C	94-23-057

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
220-110-330	AMD	94-23-058	222-38-030	AMD-E	94-13-065	230-08-120	AMD-P	94-07-083
220-110-340	AMD-P	94-11-126	222-38-030	AMD-P	94-17-156	230-08-120	AMD	94-11-095
220-110-340	AMD-C	94-23-057	222-38-030	AMD-E	94-20-060	230-08-130	AMD-P	94-07-083
220-110-340	AMD	94-23-058	223-08-010	AMD-E	94-07-062	230-08-130	AMD	94-11-095
220-110-350	AMD-P	94-11-126	223-08-010	AMD-P	94-07-097	230-08-150	AMD-P	94-07-083
220-110-350	AMD-C	94-23-057	223-08-010	AMD	94-12-030	230-08-150	AMD	94-11-095
220-110-350	AMD	94-23-058	223-08-072	NEW-E	94-07-062	230-08-160	AMD-P	94-07-083
220-110-360	NEW-P	94-11-126	223-08-072	NEW-P	94-07-097	230-08-160	AMD	94-11-095
220-110-360	AMD-C	94-23-057	223-08-072	NEW	94-12-030	230-08-260	AMD-P	94-07-083
220-110-360	AMD	94-23-058	223-08-148	NEW-E	94-07-062	230-08-260	AMD	94-11-095
222-10-030	NEW-P	94-17-156	223-08-148	NEW-P	94-07-097	230-12-010	AMD-P	94-04-024
222-10-040	NEW-P	94-17-156	223-08-148	NEW	94-12-030	230-12-010	AMD	94-07-084
222-16	AMD-C	94-15-024	223-08-162	NEW-E	94-07-062	230-12-040	AMD-P	94-10-005
222-16-010	AMD-E	94-05-046	223-08-162	NEW-P	94-07-097	230-12-040	AMD	94-13-099
222-16-010	AMD-E	94-07-053	223-08-162	NEW	94-12-030	230-12-050	AMD-P	94-10-005
222-16-010	AMD-P	94-09-029	223-08-165	AMD-E	94-07-062	230-12-050	AMD	94-13-099
222-16-010	AMD-E	94-09-030	223-08-165	AMD-P	94-07-097	230-12-070	AMD-P	94-10-005
222-16-010	AMD-W	94-12-076	223-08-165	AMD	94-12-030	230-12-070	AMD	94-13-099
222-16-010	AMD-E	94-13-065	223-08-171	NEW-E	94-07-062	230-12-090	NEW-P	94-17-089
222-16-010	AMD	94-17-033	223-08-171	NEW-P	94-07-097	230-12-090	NEW	94-23-007
222-16-010	AMD-P	94-17-156	223-08-171	NEW	94-12-030	230-12-305	AMD-P	94-04-024
222-16-010	AMD-E	94-20-060	223-08-252	NEW-E	94-07-062	230-12-305	AMD	94-07-084
222-16-035	AMD-P	94-09-029	223-08-252	NEW-P	94-07-097	230-20-064	AMD-P	94-04-024
222-16-035	AMD-E	94-09-030	223-08-252	NEW	94-12-030	230-20-064	AMD	94-07-084
222-16-035	AMD-E	94-17-033	230-02-030	AMD-P	94-07-083	230-20-064	AMD-P	94-19-073
222-16-075	NEW-P	94-17-156	230-02-030	AMD	94-11-095	230-20-064	AMD	94-24-056
222-16-080	AMD-E	94-05-046	230-02-125	AMD-P	94-07-083	230-20-103	NEW-P	94-10-005
222-16-080	AMD-E	94-07-053	230-02-125	AMD	94-11-095	230-20-103	NEW-C	94-13-101
222-16-080	AMD-W	94-12-076	230-02-161	AMD-P	94-04-024	230-20-103	NEW	94-16-008
222-16-080	AMD-E	94-13-065	230-02-161	AMD	94-07-084	230-20-111	AMD-P	94-04-024
222-16-080	AMD-P	94-17-156	230-04-020	AMD-P	94-19-073	230-20-111	AMD	94-07-084
222-16-080	AMD	94-20-060	230-04-020	AMD	94-24-056	230-20-220	AMD-P	94-04-024
222-21-010	NEW-P	94-17-156	230-04-035	AMD-P	94-04-024	230-20-220	AMD	94-07-084
222-21-020	NEW-P	94-17-156	230-04-035	AMD	94-07-084	230-20-230	AMD-P	94-04-024
222-21-030	NEW-P	94-17-156	230-04-075	AMD-P	94-04-024	230-20-230	AMD	94-07-084
222-21-040	NEW-P	94-17-156	230-04-075	AMD	94-07-084	230-20-242	AMD-P	94-20-037
222-24-030	AMD-E	94-05-046	230-04-125	AMD-P	94-19-073	230-20-242	AMD	94-24-055
222-24-030	AMD-E	94-13-065	230-04-125	AMD	94-24-056	230-20-242	AMD	94-24-055
222-24-030	AMD-P	94-17-156	230-04-145	AMD-P	94-19-073	230-20-244	NEW-P	94-10-005
222-24-030	AMD-E	94-20-060	230-04-145	AMD	94-24-056	230-20-244	NEW-C	94-11-094
222-30	AMD-C	94-15-024	230-04-190	AMD-P	94-17-089	230-20-244	NEW-C	94-16-011
222-30-020	AMD-P	94-09-029	230-04-190	AMD	94-23-007	230-20-244	NEW	94-17-090
222-30-020	AMD-E	94-09-030	230-04-190	AMD	94-23-007	230-20-246	AMD-P	94-13-113
222-30-020	AMD	94-17-033	230-04-199	REP-P	94-17-089	230-20-246	AMD	94-18-013
222-30-050	AMD-E	94-05-046	230-04-199	REP	94-23-007	230-20-400	AMD-P	94-04-024
222-30-050	AMD-E	94-13-065	230-04-201	REP-P	94-17-089	230-20-400	AMD	94-07-084
222-30-050	AMD-P	94-17-156	230-04-201	REP	94-23-007	230-20-400	AMD-P	94-04-024
222-30-050	AMD-E	94-20-060	230-04-202	NEW-P	94-17-089	230-20-680	AMD	94-07-084
222-30-060	AMD-E	94-05-046	230-04-202	NEW	94-23-093	230-20-680	AMD-P	94-16-009
222-30-060	AMD-E	94-13-065	230-04-203	NEW-P	94-17-089	230-20-685	AMD-P	94-16-009
222-30-060	AMD-P	94-17-156	230-04-203	NEW	94-23-007	230-20-685	AMD-W	94-17-087
222-30-060	AMD-E	94-20-060	230-04-204	NEW-P	94-17-089	230-20-700	AMD-P	94-17-089
222-30-065	NEW-E	94-05-046	230-04-204	NEW	94-23-007	230-20-700	AMD	94-23-093
222-30-065	NEW-E	94-13-065	230-04-260	AMD-P	94-19-073	230-25-160	AMD-P	94-04-024
222-30-065	NEW-P	94-17-156	230-04-260	AMD	94-24-056	230-25-160	AMD	94-07-084
222-30-065	NEW-E	94-20-060	230-04-280	AMD-P	94-24-053	230-25-200	AMD-P	94-07-083
222-30-070	AMD-E	94-05-046	230-04-290	AMD-P	94-19-073	230-25-200	AMD	94-11-095
222-30-070	AMD-E	94-13-065	230-04-290	AMD	94-24-056	230-30-016	AMD-P	94-19-073
222-30-070	AMD-P	94-17-156	230-04-310	AMD	94-24-056	230-30-016	AMD	94-24-056
222-30-070	AMD-E	94-20-060	230-04-320	AMD-P	94-19-073	230-30-050	AMD-P	94-07-083
222-30-075	NEW-E	94-05-046	230-04-320	AMD	94-24-056	230-30-050	AMD	94-11-095
222-30-075	NEW-E	94-13-065	230-04-325	AMD-P	94-19-073	230-30-060	AMD-P	94-04-024
222-30-075	NEW-P	94-17-156	230-04-325	AMD	94-24-056	230-30-060	AMD	94-07-084
222-30-075	NEW-E	94-20-060	230-04-340	AMD-P	94-19-073	230-30-070	AMD-P	94-16-010
222-30-100	AMD-E	94-05-046	230-04-340	AMD	94-24-056	230-30-070	AMD-C	94-19-072
222-30-100	AMD-E	94-13-065	230-04-350	AMD-P	94-19-073	230-30-070	AMD	94-23-094
222-30-100	AMD-P	94-17-156	230-04-350	AMD	94-24-056	230-30-072	AMD-P	94-04-024
222-30-100	AMD-E	94-20-060	230-04-400	AMD-P	94-24-053	230-30-072	AMD	94-07-084
222-38-020	AMD-E	94-05-046	230-08-010	AMD-P	94-20-037	230-30-072	AMD-P	94-17-089
222-38-020	AMD-E	94-13-065	230-08-010	AMD	94-24-054	230-30-072	AMD-C	94-19-071
222-38-020	AMD-P	94-17-156	230-08-015	AMD-P	94-04-024	230-30-072	AMD	94-24-054
222-38-020	AMD-E	94-20-060	230-08-015	AMD	94-07-084	230-30-075	AMD-P	94-17-089
222-38-030	AMD-E	94-05-046	230-08-017	AMD-P	94-17-089	230-30-075	AMD-C	94-19-071
			230-08-017	AMD	94-23-007	230-30-075	AMD	94-24-054
						230-30-102	AMD-P	94-04-024

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
230-30-102	AMD	94-07-084	232-28-02241	NEW-E	94-12-068	232-28-61945	NEW	94-09-068
230-30-103	AMD-P	94-04-024	232-28-02250	NEW-P	94-04-065	232-28-61946	NEW-P	94-06-039
230-30-103	AMD	94-07-084	232-28-02250	NEW	94-11-041	232-28-61946	NEW	94-09-067
230-30-998	REP-P	94-17-089	232-28-02260	NEW-P	94-04-066	232-28-61947	NEW-P	94-06-040
230-30-998	REP-C	94-19-071	232-28-02260	NEW	94-11-042	232-28-61947	NEW	94-09-066
230-30-998	REP	94-24-054	232-28-02270	NEW-P	94-04-067	232-28-61948	NEW-E	94-09-005
230-40-010	AMD-P	94-10-006	232-28-02270	NEW	94-11-043	232-28-61949	NEW-E	94-08-048
230-40-010	AMD	94-13-098	232-28-02280	NEW-P	94-04-068	232-28-61950	NEW-P	94-09-069
230-40-050	AMD-E	94-13-100	232-28-02280	NEW	94-11-044	232-28-61950	NEW	94-12-067
230-40-050	AMD-P	94-13-112	232-28-02280	AMD-P	94-22-095	232-28-61951	NEW-P	94-11-125
230-40-050	AMD	94-17-091	232-28-02290	NEW-P	94-04-069	232-28-61951	NEW	94-14-035
230-40-055	AMD-P	94-04-024	232-28-02290	NEW	94-11-045	232-28-61952	NEW-P	94-14-108
230-40-055	AMD	94-07-084	232-28-226	REP-P	94-04-114	232-28-61953	NEW-P	94-14-107
230-40-120	AMD-P	94-10-006	232-28-226	REP	94-11-046	232-28-61953	NEW	94-17-084
230-40-120	AMD	94-13-098	232-28-227	REP-P	94-04-116	232-28-61954	NEW-P	94-14-106
230-40-225	AMD-P	94-10-006	232-28-227	REP	94-11-048	232-28-61954	NEW	94-17-083
230-40-225	AMD	94-13-098	232-28-228	REP-P	94-04-115	232-28-61955	NEW-E	94-16-083
230-40-244	NEW-P	94-16-011	232-28-228	REP	94-11-047	232-28-61957	NEW-P	94-17-037
230-46-100	NEW-P	94-17-089	232-28-236	REP-P	94-05-079	232-28-61957	NEW	94-22-042
230-46-100	NEW	94-23-007	232-28-236	REP	94-11-050	232-28-61958	NEW-E	94-20-026
230-50-010	AMD-P	94-24-053	232-28-237	REP-P	94-05-078	232-28-61959	NEW-E	94-20-015
232-12-001	AMD-P	94-22-087	232-28-237	REP	94-11-051	232-28-61961	NEW-E	95-01-046
232-12-024	AMD-P	94-14-090	232-28-238	REP-P	94-04-117	236-14	PREP	94-09-047
232-12-024	AMD	94-18-059	232-28-238	REP	94-11-049	236-15-010	NEW-P	94-16-036
232-12-025	AMD-P	94-22-088	232-28-239	NEW	94-04-123	236-15-015	NEW-P	94-16-036
232-12-025	AMD-W	94-24-016	232-28-240	NEW-P	94-04-114	236-15-050	NEW-P	94-16-036
232-12-026	NEW-P	94-22-088	232-28-240	NEW	94-11-046	236-15-100	NEW-P	94-16-036
232-12-026	NEW-W	94-24-016	232-28-240	AMD-P	94-17-145	236-15-200	NEW-P	94-16-036
232-12-131	AMD-P	94-04-118	232-28-240	AMD	94-21-069	236-15-300	NEW-P	94-16-036
232-12-131	AMD-W	94-06-036	232-28-240	AMD-P	94-22-096	236-15-700	NEW-P	94-16-036
232-12-131	AMD-P	94-06-037	232-28-241	NEW-P	94-04-115	236-15-800	NEW-P	94-16-036
232-12-131	AMD	94-11-030	232-28-241	NEW	94-11-047	236-15-900	NEW-P	94-16-036
232-12-131	AMD-P	94-22-099	232-28-241	AMD-P	94-22-097	236-24	PREP	94-19-066
232-12-151	AMD-P	94-22-087	232-28-24101	NEW-E	94-20-027	236-28	PREP	94-19-067
232-12-166	AMD-P	94-06-043	232-28-24102	NEW-P	94-22-101	236-48	PREP	94-19-090
232-12-166	AMD	94-09-019	232-28-242	NEW-P	94-04-116	236-48-096	AMD-P	94-16-035
232-12-168	AMD	94-06-014	232-28-242	NEW	94-11-048	236-48-096	AMD	94-21-017
232-12-227	AMD-P	94-22-100	232-28-242	AMD-P	94-14-087	236-48-190	PREP	94-11-007
232-12-31500A	NEW-E	94-24-036	232-28-242	AMD	94-18-056	236-48-190	AMD-P	94-16-034
232-12-31500A	REP-E	95-01-030	232-28-242	AMD-P	94-22-098	236-48-190	AMD	94-22-056
232-12-31500B	NEW-E	95-01-030	232-28-24201	NEW-E	94-11-078	236-48-1902	NEW-P	94-16-034
232-12-619	AMD-P	94-22-087	232-28-243	NEW-P	94-04-117	236-48-1902	NEW	94-22-056
232-28-022	REP-P	94-04-055	232-28-243	NEW	94-11-049	236-49	PREP	94-19-090
232-28-022	REP	94-11-031	232-28-244	NEW-P	94-05-079	236-49-055	NEW-P	94-16-035
232-28-02201	NEW-P	94-04-055	232-28-244	NEW	94-11-050	236-49-055	NEW	94-21-017
232-28-02201	NEW	94-11-031	232-28-245	NEW-P	94-05-078	236-60	PREP	94-19-068
232-28-02202	NEW-P	94-04-057	232-28-245	NEW	94-11-051	236-70	PREP	94-19-069
232-28-02202	NEW	94-11-032	232-28-245	AMD-P	94-14-088	240-20	PREP	94-16-133
232-28-02202	AMD-P	94-22-089	232-28-245	AMD	94-18-057	240-20-001	NEW-P	94-05-100
232-28-02203	NEW-P	94-04-056	232-28-24501	NEW-E	94-12-069	240-20-001	NEW-E	94-05-101
232-28-02203	NEW	94-11-033	232-28-24502	NEW-E	94-20-028	240-20-001	NEW	94-10-030
232-28-02203	AMD-P	94-22-090	232-28-246	NEW-P	94-22-102	240-20-001	NEW	94-11-081
232-28-02204	NEW-P	94-04-058	232-28-247	NEW-P	94-22-103	240-20-010	NEW-P	94-05-100
232-28-02204	NEW	94-11-034	232-28-248	NEW-P	94-22-104	240-20-010	NEW-E	94-05-101
232-28-02204	AMD-P	94-22-091	232-28-249	NEW-P	94-22-105	240-20-010	NEW	94-10-030
232-28-02205	NEW-P	94-04-059	232-28-417	AMD-E	94-04-007	240-20-010	NEW	94-11-081
232-28-02205	NEW	94-11-035	232-28-417	REP-P	94-14-092	240-20-015	NEW-P	94-05-100
232-28-02205	AMD-P	94-22-092	232-28-417	REP	94-17-119	240-20-015	NEW-E	94-05-101
232-28-02206	NEW-P	94-04-060	232-28-418	NEW-P	94-14-092	240-20-015	NEW	94-10-030
232-28-02206	NEW	94-11-036	232-28-418	NEW	94-17-119	240-20-015	NEW	94-11-081
232-28-02206	AMD-P	94-22-093	232-28-41800A	NEW-E	95-01-093	240-20-020	NEW-P	94-05-100
232-28-02210	NEW-P	94-04-061	232-28-41801	NEW-E	94-22-051	240-20-020	NEW-E	94-05-101
232-28-02210	NEW	94-11-037	232-28-513	REP-P	94-14-091	240-20-020	NEW	94-10-030
232-28-02210	AMD-P	94-22-094	232-28-513	REP	94-18-036	240-20-020	NEW	94-11-081
232-28-02220	NEW-P	94-04-062	232-28-514	NEW-P	94-14-091	240-20-025	NEW-P	94-05-100
232-28-02220	NEW	94-11-038	232-28-514	NEW	94-18-036	240-20-025	NEW-E	94-05-101
232-28-02220	AMD-P	94-22-106	232-28-619	AMD-P	94-22-087	240-20-025	NEW	94-10-030
232-28-02230	NEW-P	94-04-063	232-28-61940	NEW	94-04-018	240-20-025	NEW	94-11-081
232-28-02230	NEW	94-11-039	232-28-61941	NEW	94-06-012	240-20-030	NEW-P	94-05-100
232-28-02240	NEW-P	94-04-064	232-28-61942	NEW	94-06-013	240-20-030	NEW-E	94-05-101
232-28-02240	NEW	94-11-040	232-28-61944	NEW-E	94-03-038	240-20-030	NEW	94-10-030
232-28-02240	AMD-P	94-14-089	232-28-61945	NEW-E	94-04-012	240-20-030	NEW	94-11-081
232-28-02240	AMD	94-18-058	232-28-61945	NEW-P	94-06-038	240-20-035	NEW-P	94-05-100

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
240-20-035	NEW-E	94-05-101	240-20-110	NEW	94-10-030	242-02-270	AMD	94-07-033
240-20-035	NEW	94-10-030	240-20-110	NEW	94-11-081	242-02-280	AMD	94-07-033
240-20-035	NEW	94-11-081	240-20-120	NEW-P	94-05-100	242-02-310	AMD	94-07-033
240-20-040	NEW-P	94-05-100	240-20-120	NEW-E	94-05-101	242-02-320	AMD	94-07-033
240-20-040	NEW-E	94-05-101	240-20-120	NEW	94-10-030	242-02-330	AMD	94-07-033
240-20-040	NEW	94-10-030	240-20-120	NEW	94-11-081	242-02-340	AMD	94-07-033
240-20-040	NEW	94-11-081	240-20-130	NEW-P	94-05-100	242-02-410	AMD	94-07-033
240-20-042	NEW-P	94-05-100	240-20-130	NEW-E	94-05-101	242-02-440	AMD	94-07-033
240-20-042	NEW-E	94-05-101	240-20-130	NEW	94-10-030	242-02-510	AMD	94-07-033
240-20-042	NEW	94-10-030	240-20-130	NEW	94-11-081	242-02-520	NEW-W	94-07-007
240-20-042	NEW	94-11-081	240-20-210	NEW-P	94-05-100	242-02-521	NEW-P	94-20-035
240-20-044	NEW-P	94-05-100	240-20-210	NEW-E	94-05-101	242-02-521	NEW	94-23-112
240-20-044	NEW-E	94-05-101	240-20-210	NEW	94-10-030	242-02-522	AMD	94-07-033
240-20-044	NEW	94-10-030	240-20-210	NEW	94-11-081	242-02-530	AMD	94-07-033
240-20-044	NEW	94-11-081	240-20-220	NEW-P	94-05-100	242-02-530	AMD-P	94-20-035
240-20-046	NEW-P	94-05-100	240-20-220	NEW-E	94-05-101	242-02-530	AMD	94-23-112
240-20-046	NEW-E	94-05-101	240-20-220	NEW	94-10-030	242-02-533	NEW-P	94-20-035
240-20-046	NEW	94-10-030	240-20-220	NEW	94-11-081	242-02-533	NEW	94-23-112
240-20-046	NEW	94-11-081	240-20-230	NEW-P	94-05-100	242-02-540	AMD	94-07-033
240-20-048	NEW-P	94-05-100	240-20-230	NEW-E	94-05-101	242-02-550	AMD	94-07-033
240-20-048	NEW-E	94-05-101	240-20-230	NEW	94-10-030	242-02-554	AMD	94-07-033
240-20-048	NEW	94-10-030	240-20-230	NEW	94-11-081	242-02-558	AMD	94-07-033
240-20-048	NEW	94-11-081	240-20-310	NEW-P	94-05-100	242-02-570	AMD	94-07-033
240-20-050	NEW-P	94-05-100	240-20-310	NEW-E	94-05-101	242-02-580	AMD	94-07-033
240-20-050	NEW-E	94-05-101	240-20-310	NEW	94-10-030	242-02-580	AMD	94-07-033
240-20-050	NEW	94-10-030	240-20-310	NEW	94-11-081	242-02-620	AMD	94-07-033
240-20-050	NEW	94-11-081	240-20-320	NEW-P	94-05-100	242-02-660	AMD-P	94-20-035
240-20-052	NEW-P	94-05-100	240-20-320	NEW-E	94-05-101	242-02-660	AMD	94-23-112
240-20-052	NEW-E	94-05-101	240-20-320	NEW	94-10-030	242-02-680	AMD	94-07-033
240-20-052	NEW	94-10-030	240-20-320	NEW	94-11-081	242-02-830	AMD	94-07-033
240-20-052	NEW	94-11-081	240-20-330	NEW-P	94-05-100	242-02-850	AMD	94-07-033
240-20-054	NEW-P	94-05-100	240-20-330	NEW-E	94-05-101	242-02-880	AMD	94-07-033
240-20-054	NEW-E	94-05-101	240-20-330	NEW	94-10-030	242-02-890	AMD-P	94-20-035
240-20-054	NEW	94-10-030	240-20-330	NEW	94-11-081	242-02-890	AMD	94-23-112
240-20-054	NEW	94-11-081	240-20-410	NEW-P	94-05-100	242-02-892	NEW-W	94-07-007
240-20-056	NEW-P	94-05-100	240-20-410	NEW-E	94-05-101	242-02-910	AMD	94-07-033
240-20-056	NEW-E	94-05-101	240-20-410	NEW	94-10-030	242-02-910	AMD-P	94-20-035
240-20-056	NEW	94-10-030	240-20-410	NEW	94-11-081	242-02-910	AMD	94-23-112
240-20-056	NEW	94-11-081	240-20-420	NEW-P	94-05-100	242-02-920	AMD	94-07-033
240-20-058	NEW-P	94-05-100	240-20-420	NEW-E	94-05-101	242-04-020	AMD-P	94-20-035
240-20-058	NEW-E	94-05-101	240-20-420	NEW	94-10-030	242-04-020	AMD	94-23-112
240-20-058	NEW	94-10-030	240-20-420	NEW	94-11-081	242-04-050	AMD	94-07-033
240-20-058	NEW	94-11-081	240-20-430	NEW-P	94-05-100	242-04-050	PREP	94-17-012
240-20-060	NEW-P	94-05-100	240-20-430	NEW-E	94-05-101	242-04-050	AMD-P	94-20-035
240-20-060	NEW-E	94-05-101	240-20-430	NEW	94-10-030	242-04-050	AMD	94-23-112
240-20-060	NEW	94-10-030	240-20-430	NEW	94-11-081	242-04-150	AMD-P	94-20-035
240-20-060	NEW	94-11-081	240-20-425	NEW-E	94-04-015	242-04-150	AMD	94-23-112
240-20-065	NEW-P	94-05-100	240-20-427	NEW-E	94-04-015	245-01-010	NEW	94-04-046
240-20-065	NEW-E	94-05-101	242-02-010	PREP	94-17-012	245-01-020	NEW	94-04-046
240-20-065	NEW	94-10-030	242-02-010	AMD-P	94-20-035	245-01-020	AMD-P	94-06-060
240-20-065	NEW	94-11-081	242-02-010	AMD	94-23-112	245-01-020	AMD-W	94-13-208
240-20-070	NEW-P	94-05-100	242-02-040	AMD	94-07-033	245-01-030	NEW	94-04-046
240-20-070	NEW-E	94-05-101	242-02-040	PREP	94-17-012	245-01-040	NEW	94-04-046
240-20-070	NEW	94-10-030	242-02-040	AMD-P	94-20-035	245-01-050	NEW	94-04-046
240-20-070	NEW	94-11-081	242-02-040	AMD	94-23-112	245-01-060	NEW	94-04-046
240-20-075	NEW-P	94-05-100	242-02-052	AMD	94-07-033	245-01-070	NEW	94-04-046
240-20-075	NEW-E	94-05-101	242-02-052	AMD-P	94-20-035	245-01-080	NEW	94-04-046
240-20-075	NEW-P	94-10-029	242-02-052	AMD	94-23-112	245-01-090	NEW	94-04-046
240-20-075	NEW-E	94-10-031	242-02-072	AMD	94-07-033	245-01-100	NEW	94-04-046
240-20-075	NEW	94-17-039	242-02-072	PREP	94-17-012	245-01-110	NEW	94-04-046
240-20-075	NEW-W	94-18-104	242-02-072	AMD-P	94-20-035	245-01-120	NEW	94-04-046
240-20-076	NEW-P	94-18-042	242-02-072	AMD	94-23-112	245-01-130	NEW	94-04-046
240-20-076	NEW	94-24-077	242-02-110	AMD	94-07-033	245-01-140	NEW	94-04-046
240-20-080	NEW-P	94-05-100	242-02-140	AMD	94-07-033	245-01-150	NEW	94-04-046
240-20-080	NEW-E	94-05-101	242-02-210	AMD	94-07-033	245-02-010	NEW-P	94-06-060
240-20-080	NEW	94-10-030	242-02-210	PREP	94-17-012	245-02-010	NEW-W	94-12-081
240-20-080	NEW	94-11-081	242-02-210	AMD-P	94-20-035	245-02-010	NEW-W	94-13-208
240-20-090	NEW-P	94-05-100	242-02-210	AMD	94-23-112	245-02-010	NEW-P	94-17-179
240-20-090	NEW-E	94-05-101	242-02-220	AMD	94-07-033	245-02-010	NEW-P	94-24-084
240-20-090	NEW	94-10-030	242-02-220	AMD-P	94-20-035	245-02-020	NEW-P	94-06-060
240-20-090	NEW	94-11-081	242-02-220	AMD	94-23-112	245-02-020	NEW-P	94-12-081
240-20-110	NEW-P	94-05-100	242-02-240	AMD	94-07-033	245-02-020	NEW-W	94-13-208
240-20-110	NEW-E	94-05-101	242-02-250	AMD	94-07-033	245-02-020	NEW-W	94-17-179
						245-02-020	NEW-P	94-24-084

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
245-02-025	NEW-P	94-12-081	245-02-175	NEW-P	94-24-085	246-08-450	AMD	94-04-079
245-02-025	NEW-W	94-17-179	245-02-180	NEW-P	94-12-078	246-10	PREP	94-18-006
245-02-025	NEW-P	94-24-084	245-02-180	NEW-W	94-17-179	246-10-102	AMD	94-04-079
245-02-030	NEW-P	94-06-060	245-02-180	NEW-P	94-24-085	246-10-103	AMD	94-04-079
245-02-030	NEW-P	94-12-081	245-03-010	NEW-P	94-17-190	246-10-107	AMD	94-04-079
245-02-030	NEW-W	94-13-208	245-03-020	NEW-P	94-17-190	246-10-109	AMD	94-04-079
245-02-030	NEW-W	94-17-179	245-03-040	NEW-P	94-17-190	246-10-110	AMD	94-04-079
245-02-030	NEW-P	94-24-084	245-03-050	NEW-P	94-17-190	246-10-114	AMD	94-04-079
245-02-035	NEW-P	94-24-084	245-03-080	NEW-P	94-17-190	246-10-115	AMD	94-04-079
245-02-040	NEW-P	94-06-060	245-03-120	NEW-P	94-17-190	246-10-123	AMD	94-04-079
245-02-040	NEW-P	94-12-081	245-03-140	NEW-P	94-17-190	246-10-124	AMD	94-04-079
245-02-040	NEW-W	94-13-208	245-03-160	NEW-P	94-17-190	246-10-201	AMD	94-04-079
245-02-040	NEW-W	94-17-179	245-03-180	NEW-P	94-17-190	246-10-202	AMD	94-04-079
245-02-040	NEW-P	94-24-084	245-03-200	NEW-P	94-17-190	246-10-203	AMD	94-04-079
245-02-045	NEW-P	94-24-084	245-03-220	NEW-P	94-17-190	246-10-204	AMD	94-04-079
245-02-050	NEW-P	94-06-060	245-03-240	NEW-P	94-17-190	246-10-205	AMD	94-04-079
245-02-050	NEW-P	94-12-081	245-03-260	NEW-P	94-17-190	246-10-303	AMD-W	94-13-088
245-02-050	NEW-W	94-13-208	245-03-280	NEW-P	94-17-190	246-10-304	AMD	94-04-079
245-02-050	NEW-W	94-17-179	245-03-300	NEW-P	94-17-190	246-10-305	AMD	94-04-079
245-02-050	NEW-P	94-24-084	245-03-320	NEW-P	94-17-190	246-10-401	AMD	94-04-079
245-02-060	NEW-P	94-12-081	245-03-390	NEW-P	94-17-190	246-10-402	AMD	94-04-079
245-02-060	NEW-W	94-17-179	245-03-520	NEW-P	94-17-188	246-10-403	AMD	94-04-079
245-02-070	NEW-P	94-12-081	245-03-540	NEW-P	94-17-188	246-10-404	AMD	94-04-079
245-02-070	NEW-W	94-17-179	245-03-560	NEW-P	94-17-188	246-10-501	AMD	94-04-079
245-02-080	NEW-P	94-12-081	245-03-580	NEW-P	94-17-188	246-10-502	AMD	94-04-079
245-02-080	NEW-W	94-17-179	245-03-620	NEW-P	94-17-189	246-10-503	AMD	94-04-079
245-02-090	NEW-P	94-12-081	245-03-640	NEW-P	94-17-189	246-10-504	AMD	94-04-079
245-02-090	NEW-W	94-17-179	245-03-650	NEW-P	94-17-189	246-10-604	AMD	94-04-079
245-02-100	NEW-P	94-12-078	245-03-660	NEW-P	94-17-189	246-10-607	AMD	94-04-079
245-02-100	NEW-W	94-17-179	245-03-680	NEW-P	94-17-189	246-10-701	AMD	94-04-079
245-02-100	NEW-P	94-24-085	245-03-810	NEW-P	94-17-187	246-10-702	AMD	94-04-079
245-02-110	NEW-P	94-12-078	245-03-820	NEW-P	94-17-187	246-10-704	AMD	94-04-079
245-02-110	NEW-W	94-17-179	245-03-830	NEW-P	94-17-187	246-10-705	AMD	94-04-079
245-02-110	NEW-P	94-24-085	245-03-840	NEW-P	94-17-187	246-10-706	AMD	94-04-079
245-02-115	NEW-P	94-12-078	245-03-860	NEW-P	94-17-187	246-10-707	AMD	94-04-079
245-02-115	NEW-W	94-17-179	245-03-880	NEW-P	94-17-187	246-11	PREP	94-18-006
245-02-115	NEW-P	94-24-085	245-04-010	NEW-P	94-17-186	246-11	PREP	94-23-066
245-02-120	NEW-P	94-12-078	245-04-020	NEW-P	94-17-186	246-11-010	AMD	94-04-078
245-02-120	NEW-W	94-17-179	245-04-025	NEW-P	94-17-186	246-11-020	AMD	94-04-078
245-02-120	NEW-P	94-24-085	245-04-030	NEW-P	94-17-186	246-11-030	AMD	94-04-078
245-02-125	NEW-P	94-12-078	245-04-040	NEW-P	94-17-186	246-11-050	AMD	94-04-078
245-02-125	NEW-W	94-17-179	245-04-050	NEW-P	94-17-186	246-11-060	AMD	94-04-078
245-02-125	NEW-P	94-24-085	245-04-060	NEW-P	94-17-186	246-11-080	AMD	94-04-078
245-02-130	NEW-P	94-12-078	245-04-070	NEW-P	94-17-186	246-11-090	AMD	94-04-078
245-02-130	NEW-W	94-17-179	245-04-080	NEW-P	94-17-186	246-11-100	AMD	94-04-078
245-02-130	NEW-P	94-24-085	245-04-090	NEW	94-21-063	246-11-110	AMD	94-04-078
245-02-131	NEW-P	94-24-085	245-04-100	NEW-P	94-10-085	246-11-130	AMD	94-04-078
245-02-135	NEW-P	94-12-078	245-04-100	NEW-S	94-12-079	246-11-140	AMD	94-04-078
245-02-135	NEW-W	94-17-179	245-04-100	NEW	94-21-063	246-11-160	AMD	94-04-078
245-02-135	NEW-P	94-24-085	245-04-110	NEW-P	94-10-085	246-11-180	AMD	94-04-078
245-02-140	NEW-P	94-12-078	245-04-110	NEW-S	94-12-079	246-11-220	AMD	94-04-078
245-02-140	NEW-W	94-17-179	245-04-110	NEW	94-21-063	246-11-230	AMD	94-04-078
245-02-140	NEW-P	94-24-085	245-04-115	NEW-P	94-10-085	246-11-250	AMD	94-04-078
245-02-145	NEW-P	94-12-078	245-04-115	NEW-S	94-12-079	246-11-260	AMD	94-04-078
245-02-145	NEW-W	94-17-179	245-04-115	NEW	94-21-063	246-11-270	AMD	94-04-078
245-02-145	NEW-P	94-24-085	245-04-200	NEW-P	94-17-185	246-11-280	AMD	94-04-078
245-02-150	NEW-P	94-12-078	245-04-210	NEW-P	94-17-185	246-11-290	AMD	94-04-078
245-02-150	NEW-W	94-17-179	245-04-220	NEW-P	94-17-185	246-11-300	AMD	94-04-078
245-02-150	NEW-P	94-24-085	245-04-230	NEW-P	94-17-185	246-11-320	AMD-W	94-13-087
245-02-155	NEW-P	94-12-078	245-04-240	NEW-P	94-17-185	246-11-330	AMD	94-04-078
245-02-155	NEW-W	94-17-179	245-04-300	NEW-P	94-17-184	246-11-340	AMD	94-04-078
245-02-155	NEW-P	94-24-085	245-04-310	NEW-P	94-17-184	246-11-360	AMD	94-04-078
245-02-160	NEW-P	94-12-078	245-04-320	NEW-P	94-17-184	246-11-370	AMD	94-04-078
245-02-160	NEW-W	94-17-179	245-04-330	NEW-P	94-17-184	246-11-380	AMD	94-04-078
245-02-160	NEW-P	94-24-085	245-04-340	NEW-P	94-17-184	246-11-390	AMD	94-04-078
245-02-165	NEW-P	94-12-078	245-04-350	NEW-P	94-17-184	246-11-400	AMD	94-04-078
245-02-165	NEW-W	94-17-179	245-08-010	NEW-P	94-17-183	246-11-420	AMD	94-04-078
245-02-165	NEW-P	94-24-085	245-08-020	NEW-P	94-17-183	246-11-425	NEW	94-04-078
245-02-170	NEW-P	94-12-078	245-08-030	NEW-P	94-17-183	246-11-430	AMD	94-04-078
245-02-170	NEW-W	94-17-179	245-08-040	NEW-P	94-17-183	246-11-440	AMD	94-04-078
245-02-170	NEW-P	94-24-085	245-08-050	NEW-P	94-17-183	246-11-450	AMD	94-04-078
245-02-175	NEW-P	94-12-078	246-01-040	PREP	94-15-066	246-11-480	AMD	94-04-078
245-02-175	NEW-W	94-17-179	246-01-080	PREP	94-15-066	246-11-500	AMD	94-04-078

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
246-11-510	AMD	94-04-078	246-221-250	AMD	95-01-108	246-272-02001	NEW	94-09-025
246-11-530	AMD	94-04-078	246-221-260	AMD-E	94-19-029	246-272-030	REP	94-09-025
246-11-540	AMD	94-04-078	246-221-260	AMD-P	94-22-005	246-272-03001	NEW	94-09-025
246-11-560	AMD	94-04-078	246-221-260	AMD	95-01-108	246-272-040	REP	94-09-025
246-11-580	AMD	94-04-078	246-225-020	AMD	94-06-017	246-272-04001	NEW	94-09-025
246-11-590	AMD	94-04-078	246-227-030	NEW-W	94-06-016	246-272-050	REP	94-09-025
246-11-600	AMD	94-04-078	246-227-100	NEW-W	94-06-016	246-272-05001	NEW	94-09-025
246-11-610	AMD	94-04-078	246-235	PREP	94-17-015	246-272-060	REP	94-09-025
246-50-001	PREP	94-09-042	246-235-077	PREP	94-15-028	246-272-070	REP	94-09-025
246-50-001	NEW-P	94-20-079	246-235-077	NEW-P	94-22-005	246-272-07001	NEW	94-09-025
246-50-001	NEW	94-24-001	246-235-077	NEW	95-01-108	246-272-080	REP	94-09-025
246-50-010	PREP	94-09-042	246-235-150	PREP	94-15-028	246-272-08001	NEW	94-09-025
246-50-010	NEW-P	94-20-079	246-235-150	NEW-P	94-22-005	246-272-090	REP	94-09-025
246-50-010	NEW	94-24-001	246-235-150	NEW	95-01-108	246-272-09001	NEW	94-09-025
246-50-020	PREP	94-09-042	246-239-020	AMD	94-06-017	246-272-09501	NEW	94-09-025
246-50-020	NEW-P	94-20-079	246-239-022	NEW	94-06-017	246-272-100	REP	94-09-025
246-50-020	NEW	94-24-001	246-239-030	AMD	94-06-017	246-272-110	REP	94-09-025
246-50-030	PREP	94-09-042	246-239-035	NEW	94-06-017	246-272-11001	NEW	94-09-025
246-50-030	NEW-P	94-20-079	246-239-050	AMD	94-06-017	246-272-11501	NEW	94-09-025
246-50-030	NEW	94-24-001	246-239-070	AMD	94-06-017	246-272-120	REP	94-09-025
246-50-040	PREP	94-09-042	246-239-080	AMD	94-06-017	246-272-12501	NEW	94-09-025
246-50-040	NEW-P	94-20-079	246-239-090	AMD	94-06-017	246-272-130	REP	94-09-025
246-50-040	NEW	94-24-001	246-239-100	AMD	94-06-017	246-272-13501	NEW	94-09-025
246-50-990	PREP	94-09-042	246-240	PREP	94-17-015	246-272-140	REP	94-09-025
246-50-990	NEW-P	94-20-079	246-240-015	NEW-P	94-22-005	246-272-14501	NEW	94-09-025
246-50-990	NEW	94-24-001	246-240-015	NEW	95-01-108	246-272-150	REP	94-09-025
246-100	PREP	94-12-048	246-240-020	AMD	94-06-017	246-272-15501	NEW	94-09-025
246-100-011	AMD-P	94-14-081	246-242	PREP	94-17-015	246-272-160	REP	94-09-025
246-100-011	AMD-W	94-21-015	246-247-001	AMD	94-07-010	246-272-16501	NEW	94-09-025
246-100-076	AMD-P	94-14-081	246-247-002	NEW	94-07-010	246-272-170	REP	94-09-025
246-100-076	AMD-W	94-21-015	246-247-010	AMD	94-07-010	246-272-17501	NEW	94-09-025
246-100-236	AMD-P	94-14-081	246-247-020	AMD	94-07-010	246-272-180	REP	94-09-025
246-100-236	PREP	94-16-105	246-247-030	AMD	94-07-010	246-272-18501	NEW	94-09-025
246-100-236	AMD-W	94-21-015	246-247-040	AMD	94-07-010	246-272-190	REP	94-09-025
246-100-236	AMD-P	94-22-006	246-247-050	REP	94-07-010	246-272-19501	NEW	94-09-025
246-132-020	REP	94-06-048	246-247-060	AMD	94-07-010	246-272-200	REP	94-09-025
246-132-030	REP	94-06-048	246-247-065	NEW	94-07-010	246-272-20501	NEW	94-09-025
246-170	PREP	94-12-048	246-247-070	REP	94-07-010	246-272-210	REP	94-09-025
246-170-001	REP-P	94-22-007	246-247-075	NEW	94-07-010	246-272-21501	NEW	94-09-025
246-170-002	NEW-P	94-22-007	246-247-080	AMD	94-07-010	246-272-220	REP	94-09-025
246-170-010	AMD-P	94-14-081	246-247-085	NEW	94-07-010	246-272-22501	NEW	94-09-025
246-170-010	AMD-W	94-21-015	246-247-090	REP	94-07-010	246-272-230	REP	94-09-025
246-170-010	REP-P	94-22-007	246-247-100	AMD	94-07-010	246-272-23501	NEW	94-09-025
246-170-011	NEW-P	94-22-007	246-247-110	NEW	94-07-010	246-272-240	REP	94-09-025
246-170-020	REP-P	94-22-007	246-247-120	NEW	94-07-010	246-272-24001	NEW	94-09-025
246-170-021	NEW-P	94-22-007	246-247-130	NEW	94-07-010	246-272-25001	NEW	94-09-025
246-170-030	AMD-P	94-14-081	246-249-020	PREP	94-16-065	246-272-25001	AMD-E	95-01-105
246-170-030	AMD-W	94-21-015	246-249-080	PREP	94-16-065	246-272-26001	NEW	94-09-025
246-170-030	REP-P	94-22-007	246-254-053	AMD-P	94-07-108	246-272-27001	NEW	94-09-025
246-170-031	NEW-P	94-22-007	246-254-053	AMD	94-11-010	246-272-28001	NEW	94-09-025
246-170-035	NEW-P	94-14-081	246-254-070	AMD-P	94-07-107	246-282	PREP	94-12-087
246-170-035	NEW	94-20-080	246-254-070	AMD	94-11-011	246-282	PREP	94-12-088
246-170-040	REP-P	94-22-007	246-254-080	AMD-P	94-07-107	246-282-005	NEW-P	94-17-121
246-170-041	NEW-P	94-22-007	246-254-080	AMD	94-11-011	246-282-005	NEW	94-23-026
246-170-050	AMD-P	94-14-081	246-254-090	AMD-P	94-07-107	246-290-010	AMD-P	94-08-075
246-170-050	AMD-W	94-21-015	246-254-090	AMD	94-11-011	246-290-010	AMD	94-14-001
246-170-050	REP-P	94-22-007	246-254-100	AMD-P	94-07-107	246-290-020	AMD-P	94-08-075
246-170-051	NEW-P	94-22-007	246-254-100	AMD	94-11-011	246-290-020	AMD	94-14-001
246-170-055	NEW-P	94-22-007	246-254-120	AMD-P	94-07-107	246-290-025	NEW-P	94-08-075
246-170-060	REP-P	94-22-007	246-254-120	AMD	94-11-011	246-290-025	NEW	94-14-001
246-170-061	NEW-P	94-22-007	246-254-160	AMD	94-07-010	246-290-030	AMD-P	94-08-075
246-170-065	NEW-P	94-22-007	246-260-990	REP-P	94-07-121	246-290-030	AMD	94-14-001
246-170-070	REP-P	94-22-007	246-260-990	REP	94-11-056	246-290-040	AMD-P	94-08-075
246-170-080	REP-P	94-22-007	246-260-9901	NEW-P	94-07-121	246-290-040	AMD	94-14-001
246-170-090	REP-P	94-22-007	246-260-9901	NEW	94-11-056	246-290-060	AMD-P	94-08-075
246-220	PREP	94-17-015	246-272-001	REP	94-09-025	246-290-060	AMD	94-14-001
246-220-010	AMD-P	94-22-005	246-272-00101	NEW	94-09-025	246-290-100	AMD-P	94-08-075
246-220-010	AMD	95-01-108	246-272-002	REP	94-09-025	246-290-100	AMD	94-14-001
246-220-110	AMD-P	94-22-005	246-272-005	REP	94-09-025	246-290-110	AMD-P	94-08-075
246-220-110	AMD	95-01-108	246-272-00501	NEW	94-09-025	246-290-110	AMD	94-14-001
246-221	PREP	94-17-015	246-272-010	REP	94-09-025	246-290-115	NEW-P	94-08-075
246-221-250	AMD-E	94-19-029	246-272-01001	NEW	94-09-025	246-290-115	NEW	94-14-001
246-221-250	AMD-P	94-22-005	246-272-020	REP	94-09-025	246-290-130	AMD-P	94-08-075

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
246-290-130	AMD	94-14-001	246-291-220	NEW-P	94-06-008	246-295-120	NEW-P	94-13-085
246-290-135	AMD-P	94-08-075	246-291-220	NEW	94-14-002	246-295-120	NEW	94-18-108
246-290-135	AMD	94-14-001	246-291-230	NEW-P	94-06-008	246-295-130	NEW-P	94-13-085
246-290-140	AMD-P	94-08-075	246-291-230	NEW	94-14-002	246-295-130	NEW	94-18-108
246-290-140	AMD	94-14-001	246-291-240	NEW-P	94-06-008	246-316-001	AMD-P	94-08-040
246-290-230	AMD-P	94-08-075	246-291-240	NEW	94-14-002	246-316-001	AMD	94-13-180
246-290-230	AMD	94-14-001	246-291-250	NEW-P	94-06-008	246-316-010	AMD-P	94-08-040
246-290-300	AMD-P	94-08-075	246-291-250	NEW	94-14-002	246-316-010	AMD	94-13-180
246-290-300	AMD	94-14-001	246-291-260	NEW-P	94-06-008	246-316-020	AMD-P	94-08-040
246-290-310	AMD-P	94-08-075	246-291-260	NEW	94-14-002	246-316-020	AMD	94-13-180
246-290-310	AMD	94-14-001	246-291-270	NEW-P	94-06-008	246-316-030	AMD-P	94-08-040
246-290-320	AMD-P	94-08-075	246-291-270	NEW	94-14-002	246-316-030	AMD	94-13-180
246-290-320	AMD	94-14-001	246-291-300	NEW-P	94-06-008	246-316-040	AMD-P	94-08-040
246-290-330	AMD-P	94-08-075	246-291-300	NEW	94-14-002	246-316-040	AMD	94-13-180
246-290-330	AMD	94-14-001	246-291-310	NEW-P	94-06-008	246-316-045	AMD-P	94-08-040
246-290-410	AMD-P	94-08-075	246-291-310	NEW	94-14-002	246-316-045	AMD	94-13-180
246-290-410	AMD	94-14-001	246-291-320	NEW-P	94-06-008	246-316-050	AMD-P	94-08-040
246-290-440	AMD-P	94-08-075	246-291-320	NEW	94-14-002	246-316-050	AMD	94-13-180
246-290-440	AMD	94-14-001	246-291-330	NEW-P	94-06-008	246-316-055	NEW-P	94-08-040
246-290-480	AMD-P	94-08-075	246-291-330	NEW	94-14-002	246-316-055	NEW	94-13-180
246-290-480	AMD	94-14-001	246-291-340	NEW-P	94-06-008	246-316-060	AMD-P	94-08-040
246-290-632	AMD-P	94-08-075	246-291-340	NEW	94-14-002	246-316-060	AMD	94-13-180
246-290-632	AMD	94-14-001	246-291-350	NEW-P	94-06-008	246-316-070	AMD-P	94-08-040
246-290-654	AMD-P	94-08-075	246-291-350	NEW	94-14-002	246-316-070	AMD	94-13-180
246-290-654	AMD	94-14-001	246-291-360	NEW-P	94-06-008	246-316-080	AMD-P	94-08-040
246-290-660	AMD-P	94-08-075	246-291-360	NEW	94-14-002	246-316-080	AMD	94-13-180
246-290-660	AMD	94-14-001	246-291-370	NEW-P	94-06-008	246-316-090	AMD-P	94-08-040
246-290-662	AMD-P	94-08-075	246-291-370	NEW	94-14-002	246-316-090	AMD	94-13-180
246-290-662	AMD	94-14-001	246-292-001	AMD	94-04-004	246-316-100	AMD-P	94-08-040
246-290-664	AMD-P	94-08-075	246-292-010	AMD	94-04-004	246-316-100	AMD	94-13-180
246-290-664	AMD	94-14-001	246-292-020	AMD	94-04-004	246-316-110	AMD-P	94-08-040
246-290-666	AMD-P	94-08-075	246-292-030	AMD	94-04-004	246-316-110	AMD	94-13-180
246-290-666	AMD	94-14-001	246-292-040	AMD	94-04-004	246-316-120	AMD-P	94-08-040
246-290-670	AMD-P	94-08-075	246-292-050	AMD	94-04-004	246-316-120	AMD	94-13-180
246-290-670	AMD	94-14-001	246-292-055	NEW	94-04-004	246-316-130	AMD-P	94-08-040
246-290-686	AMD-P	94-08-075	246-292-060	AMD	94-04-004	246-316-130	AMD	94-13-180
246-290-686	AMD	94-14-001	246-292-070	AMD	94-04-004	246-316-140	AMD-P	94-08-040
246-290-692	AMD-P	94-08-075	246-292-075	NEW	94-04-004	246-316-140	AMD	94-13-180
246-290-692	AMD	94-14-001	246-292-080	AMD	94-04-004	246-316-150	AMD-P	94-08-040
246-290-694	AMD-P	94-08-075	246-292-090	AMD	94-04-004	246-316-150	AMD	94-13-180
246-290-694	AMD	94-14-001	246-292-100	AMD	94-04-004	246-316-160	AMD-P	94-08-040
246-290-696	AMD-P	94-08-075	246-292-110	AMD	94-04-004	246-316-160	AMD	94-13-180
246-290-696	AMD	94-14-001	246-292-120	REP	94-04-004	246-316-170	AMD-P	94-08-040
246-291-001	NEW-P	94-06-008	246-292-130	REP	94-04-004	246-316-170	AMD	94-13-180
246-291-001	NEW	94-14-002	246-292-140	REP	94-04-004	246-316-180	AMD-P	94-08-040
246-291-010	NEW-P	94-06-008	246-292-150	REP	94-04-004	246-316-180	AMD	94-13-180
246-291-010	NEW	94-14-002	246-292-160	NEW	94-04-004	246-316-190	AMD-P	94-08-040
246-291-020	NEW-P	94-06-008	246-292-170	NEW	94-04-004	246-316-190	AMD	94-13-180
246-291-020	NEW	94-14-002	246-292-990	REP	94-04-004	246-316-200	AMD-P	94-08-040
246-291-025	NEW-P	94-06-008	246-295-001	NEW-P	94-13-085	246-316-200	AMD	94-13-180
246-291-025	NEW	94-14-002	246-295-001	NEW	94-18-108	246-316-210	AMD-P	94-08-040
246-291-030	NEW-P	94-06-008	246-295-010	NEW-P	94-13-085	246-316-210	AMD	94-13-180
246-291-030	NEW	94-14-002	246-295-010	NEW	94-18-108	246-316-220	AMD-P	94-08-040
246-291-040	NEW-P	94-06-008	246-295-020	NEW-P	94-13-085	246-316-220	AMD	94-13-180
246-291-040	NEW	94-14-002	246-295-020	NEW	94-18-108	246-316-230	AMD-P	94-08-040
246-291-050	NEW-P	94-06-008	246-295-030	NEW-P	94-13-085	246-316-230	AMD	94-13-180
246-291-050	NEW	94-14-002	246-295-030	NEW	94-18-108	246-316-240	AMD-P	94-08-040
246-291-060	NEW-P	94-06-008	246-295-040	NEW-P	94-13-085	246-316-240	AMD	94-13-180
246-291-060	NEW	94-14-002	246-295-040	NEW	94-18-108	246-316-250	AMD-P	94-08-040
246-291-100	NEW-P	94-06-008	246-295-050	NEW-P	94-13-085	246-316-250	AMD	94-13-180
246-291-100	NEW	94-14-002	246-295-050	NEW	94-18-108	246-316-260	AMD-P	94-08-040
246-291-110	NEW-P	94-06-008	246-295-060	NEW-P	94-13-085	246-316-260	AMD	94-13-180
246-291-110	NEW	94-14-002	246-295-060	NEW	94-18-108	246-316-265	NEW-P	94-08-040
246-291-120	NEW-P	94-06-008	246-295-070	NEW-P	94-13-085	246-316-265	NEW	94-13-180
246-291-120	NEW	94-14-002	246-295-070	NEW	94-18-108	246-316-268	NEW-P	94-08-040
246-291-130	NEW-P	94-06-008	246-295-080	NEW-P	94-13-085	246-316-268	NEW	94-13-180
246-291-130	NEW	94-14-002	246-295-080	NEW	94-18-108	246-316-270	REP-P	94-08-040
246-291-140	NEW-P	94-06-008	246-295-090	NEW-P	94-13-085	246-316-270	REP	94-13-180
246-291-140	NEW	94-14-002	246-295-090	NEW	94-18-108	246-316-280	AMD-P	94-08-040
246-291-200	NEW-P	94-06-008	246-295-100	NEW-P	94-13-085	246-316-280	AMD	94-13-180
246-291-200	NEW	94-14-002	246-295-100	NEW	94-18-108	246-316-290	AMD-P	94-08-040
246-291-210	NEW-P	94-06-008	246-295-110	NEW-P	94-13-085	246-316-290	AMD	94-13-180
246-291-210	NEW	94-14-002	246-295-110	NEW	94-18-108	246-316-300	AMD-P	94-08-040

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
246-316-300	AMD	94-13-180	246-331-065	AMD-P	94-10-045	246-338-990	AMD-P	94-14-039
246-316-310	AMD-P	94-08-040	246-331-065	AMD	94-17-138	246-338-990	AMD	94-17-099
246-316-310	AMD	94-13-180	246-331-077	AMD-P	94-10-045	246-360	PREP	94-10-058
246-316-320	AMD-P	94-08-040	246-331-077	AMD	94-17-138	246-360-001	AMD-P	94-19-092
246-316-320	AMD	94-13-180	246-331-085	AMD-P	94-10-045	246-360-001	AMD	94-23-077
246-316-330	AMD-P	94-08-040	246-331-085	AMD	94-17-138	246-360-010	AMD-P	94-19-092
246-316-330	AMD	94-13-180	246-331-095	AMD-P	94-10-045	246-369-010	AMD	94-23-077
246-316-335	NEW-P	94-08-040	246-331-095	AMD	94-17-138	246-360-020	AMD-P	94-19-092
246-316-335	NEW	94-13-180	246-331-100	AMD-P	94-10-045	246-360-020	AMD	94-23-077
246-316-340	AMD-P	94-08-040	246-331-100	AMD	94-17-138	246-360-030	AMD-P	94-19-092
246-316-340	AMD	94-13-180	246-331-105	AMD-P	94-10-045	246-360-030	AMD	94-23-077
246-316-990	AMD-P	94-08-040	246-331-105	AMD	94-17-138	246-360-040	AMD-P	94-19-092
246-316-990	AMD	94-13-180	246-331-115	AMD-P	94-10-045	246-360-040	AMD	94-23-077
246-322	PREP	94-13-177	246-331-115	AMD	94-17-138	246-360-050	AMD-P	94-19-092
246-324	PREP	94-13-177	246-331-125	AMD-P	94-10-045	246-360-050	AMD	94-23-077
246-327-001	AMD-P	94-10-047	246-331-125	AMD	94-17-138	246-360-060	AMD-P	94-19-092
246-327-001	AMD	94-17-136	246-331-135	AMD-P	94-10-045	246-360-060	AMD	94-23-077
246-327-010	AMD-P	94-10-047	246-331-135	AMD	94-17-138	246-360-070	AMD-P	94-19-092
246-327-010	AMD	94-17-136	246-331-155	REP-P	94-10-045	246-360-070	AMD	94-23-077
246-327-025	AMD-P	94-10-047	246-331-155	REP	94-17-138	246-360-080	AMD-P	94-19-092
246-327-025	AMD	94-17-136	246-331-165	AMD-P	94-10-045	246-360-080	AMD	94-23-077
246-327-030	NEW-P	94-10-047	246-331-165	AMD	94-17-138	246-360-090	AMD-P	94-19-092
246-327-030	NEW	94-17-136	246-331-175	REP-P	94-10-045	246-360-090	AMD	94-23-077
246-327-035	AMD-P	94-10-047	246-331-175	REP	94-17-138	246-360-100	AMD-P	94-19-092
246-327-035	AMD	94-17-136	246-331-185	AMD-P	94-10-045	246-360-100	AMD	94-23-077
246-327-045	REP-P	94-10-047	246-331-185	AMD	94-17-138	246-360-110	AMD-P	94-19-092
246-327-045	REP	94-17-136	246-331-990	AMD-P	94-10-045	246-360-110	AMD	94-23-077
246-327-055	REP-P	94-10-047	246-331-990	AMD	94-17-138	246-360-120	AMD-P	94-19-092
246-327-055	REP	94-17-136	246-336-001	AMD-P	94-10-046	246-360-120	AMD	94-23-077
246-327-065	AMD-P	94-10-047	246-336-001	AMD	94-17-137	246-360-130	AMD-P	94-19-092
246-327-065	AMD	94-17-136	246-336-010	AMD-P	94-10-046	246-360-130	AMD	94-23-077
246-327-077	AMD-P	94-10-047	246-336-010	AMD	94-17-137	246-360-140	AMD-P	94-19-092
246-327-077	AMD	94-17-136	246-336-025	AMD-P	94-10-046	246-360-140	AMD	94-23-077
246-327-085	AMD-P	94-10-047	246-336-025	AMD	94-17-137	246-360-150	AMD-P	94-19-092
246-327-085	AMD	94-17-136	246-336-030	NEW-P	94-10-046	246-360-150	AMD	94-23-077
246-327-090	AMD-P	94-10-047	246-336-030	NEW	94-17-137	246-360-160	AMD-P	94-19-092
246-327-090	AMD	94-17-136	246-336-035	AMD-P	94-10-046	246-360-160	AMD	94-23-077
246-327-095	AMD-P	94-10-047	246-336-035	AMD	94-17-137	246-360-170	AMD-P	94-19-092
246-327-095	AMD	94-17-136	246-336-045	REP-P	94-10-046	246-360-170	AMD	94-23-077
246-327-105	AMD-P	94-10-047	246-336-045	REP	94-17-137	246-360-180	AMD-P	94-19-092
246-327-105	AMD	94-17-136	246-336-055	REP-P	94-10-046	246-360-180	AMD	94-23-077
246-327-115	AMD-P	94-10-047	246-336-055	REP	94-17-137	246-360-190	REP-P	94-19-092
246-327-115	AMD	94-17-136	246-336-065	AMD-P	94-10-046	246-360-190	REP	94-23-077
246-327-125	AMD-P	94-10-047	246-336-065	AMD	94-17-137	246-360-200	AMD-P	94-19-092
246-327-125	AMD	94-17-136	246-336-077	AMD-P	94-10-046	246-360-200	AMD	94-23-077
246-327-135	AMD-P	94-10-047	246-336-077	AMD	94-17-137	246-360-500	AMD-P	94-19-092
246-327-135	AMD	94-17-136	246-336-085	AMD-P	94-10-046	246-360-500	AMD	94-23-077
246-327-145	AMD-P	94-10-047	246-336-085	AMD	94-17-137	246-360-990	AMD-P	94-17-100
246-327-145	AMD	94-17-136	246-336-095	AMD-P	94-10-046	246-360-990	AMD	94-21-016
246-327-155	REP-P	94-10-047	246-336-095	AMD	94-17-137	246-390	PREP	94-13-004
246-327-155	REP	94-17-136	246-336-100	AMD-P	94-10-046	246-450-001	REP-P	94-09-026
246-327-165	AMD-P	94-10-047	246-336-100	AMD	94-17-137	246-450-001	REP	94-12-089
246-327-165	AMD	94-17-136	246-336-105	AMD-P	94-10-046	246-450-010	REP-P	94-09-026
246-327-175	REP-P	94-10-047	246-336-105	AMD	94-17-137	246-450-010	REP	94-12-089
246-327-175	REP	94-17-136	246-336-115	AMD-P	94-10-046	246-450-020	REP-P	94-09-026
246-327-185	AMD-P	94-10-047	246-336-115	AMD	94-17-137	246-450-020	REP	94-12-089
246-327-185	AMD	94-17-136	246-336-125	AMD-P	94-10-046	246-450-030	REP-P	94-09-026
246-327-990	AMD-P	94-10-047	246-336-125	AMD	94-17-137	246-450-030	REP	94-12-089
246-327-990	AMD	94-17-136	246-336-135	AMD-P	94-10-046	246-450-040	REP-P	94-09-026
246-331-001	AMD-P	94-10-045	246-336-135	AMD	94-17-137	246-450-040	REP	94-12-089
246-331-001	AMD	94-17-138	246-336-165	AMD-P	94-10-046	246-450-050	REP-P	94-09-026
246-331-010	AMD-P	94-10-045	246-336-165	AMD	94-17-137	246-450-050	REP	94-12-089
246-331-010	AMD	94-17-138	246-336-990	AMD-P	94-10-046	246-450-060	REP-P	94-09-026
246-331-025	AMD-P	94-10-045	246-336-990	AMD	94-17-137	246-450-060	REP	94-12-089
246-331-025	AMD	94-17-138	246-338	PREP	94-11-012	246-450-070	REP-P	94-09-026
246-331-030	NEW-P	94-10-045	246-338-010	AMD-P	94-14-039	246-450-070	REP	94-12-089
246-331-030	NEW	94-17-138	246-338-010	AMD	94-17-099	246-450-080	REP-P	94-09-026
246-331-035	AMD-P	94-10-045	246-338-020	AMD-P	94-14-039	246-450-080	REP	94-12-089
246-331-035	AMD	94-17-138	246-338-020	AMD	94-17-099	246-450-090	REP-P	94-09-026
246-331-045	REP-P	94-10-045	246-338-030	AMD-P	94-14-039	246-450-090	REP	94-12-089
246-331-045	REP	94-17-138	246-338-030	AMD	94-17-099	246-450-100	REP-P	94-09-026
246-331-055	REP-P	94-10-045	246-338-050	AMD-P	94-14-039	246-450-100	REP	94-12-089
246-331-055	REP	94-17-138	246-338-050	AMD	94-17-099	246-451-001	AMD-P	94-09-026

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
246-451-001	AMD	94-12-089	246-455-040	AMD-P	94-09-007	246-824-990	AMD	94-08-078
246-451-010	AMD-P	94-09-026	246-455-040	AMD	94-12-090	246-824-990	PREP	94-22-003
246-451-010	AMD	94-12-089	246-455-050	AMD-P	94-09-007	246-828-055	NEW-P	94-08-037
246-451-020	AMD-P	94-09-026	246-455-050	AMD	94-12-090	246-828-055	NEW	94-11-108
246-451-020	AMD	94-12-089	246-455-060	AMD-P	94-09-007	246-828-060	AMD-P	94-08-037
246-451-030	AMD-P	94-09-026	246-455-060	AMD	94-12-090	246-828-060	AMD	94-11-108
246-451-030	AMD	94-12-089	246-455-070	AMD-P	94-09-007	246-828-065	NEW-P	94-08-037
246-451-040	AMD-P	94-09-026	246-455-070	AMD	94-12-090	246-828-065	NEW	94-11-108
246-451-040	AMD	94-12-089	246-455-080	AMD-P	94-09-007	246-828-070	AMD-P	94-08-037
246-451-050	AMD-P	94-09-026	246-455-080	AMD	94-12-090	246-828-070	AMD	94-11-108
246-451-050	AMD	94-12-089	246-455-090	AMD-P	94-09-007	246-828-990	AMD	94-08-038
246-451-060	AMD-P	94-09-026	246-455-090	AMD	94-12-090	246-830	PREP	94-13-178
246-451-060	AMD	94-12-089	246-455-100	AMD-P	94-09-007	246-830-010	NEW-P	94-06-045
246-452-001	REP-P	94-09-026	246-455-100	AMD	94-12-090	246-830-010	NEW	94-13-181
246-452-001	REP	94-12-089	246-490-100	NEW	94-04-083	246-830-030	REP-P	94-05-080
246-452-010	REP-P	94-09-026	246-490-110	NEW	94-04-083	246-830-030	REP	94-13-181
246-452-010	REP	94-12-089	246-520-001	REP	94-05-052	246-830-035	NEW-P	94-05-080
246-452-020	REP-P	94-09-026	246-520-010	REP	94-05-052	246-830-035	NEW	94-13-181
246-452-020	REP	94-12-089	246-520-020	REP	94-05-052	246-830-230	PREP	94-13-178
246-452-030	REP-P	94-09-026	246-520-030	REP	94-05-052	246-830-255	NEW-P	94-06-045
246-452-030	REP	94-12-089	246-520-040	REP	94-05-052	246-830-255	NEW	94-13-181
246-452-040	REP-P	94-09-026	246-520-050	REP	94-05-052	246-830-280	NEW-P	94-05-080
246-452-040	REP	94-12-089	246-520-060	REP	94-05-052	246-830-280	NEW	94-13-181
246-452-050	REP-P	94-09-026	246-520-070	REP	94-05-052	246-830-290	NEW-P	94-05-080
246-452-050	REP	94-12-089	246-800	PREP	94-21-025	246-830-290	NEW	94-13-181
246-452-060	REP-P	94-09-026	246-802-990	PREP	94-15-063	246-830-410	AMD-P	94-06-045
246-452-060	REP	94-12-089	246-802-990	AMD-P	94-18-100	246-830-410	AMD	94-13-181
246-452-070	REP-P	94-09-026	246-802-990	AMD-S	94-22-054	246-830-430	AMD-P	94-06-045
246-452-070	REP	94-12-089	246-802-990	AMD	95-01-038	246-830-430	AMD	94-13-181
246-452-080	REP-P	94-09-026	246-806	PREP	94-22-053	246-830-460	NEW-P	94-05-080
246-452-080	REP	94-12-089	246-807	PREP	94-22-053	246-830-460	NEW	94-13-181
246-453-001	AMD-P	94-09-026	246-807-115	NEW-P	94-03-053	246-830-465	NEW-P	94-05-080
246-453-001	AMD	94-12-089	246-807-115	NEW	94-08-053	246-830-465	NEW	94-13-181
246-453-010	AMD-P	94-09-026	246-807-125	NEW-P	94-11-080	246-830-470	NEW-P	94-05-080
246-453-010	AMD	94-12-089	246-807-125	NEW	94-16-012	246-830-470	NEW	94-13-181
246-453-050	AMD-P	94-09-026	246-807-135	NEW-P	94-11-080	246-830-475	NEW-P	94-05-080
246-453-050	AMD	94-12-089	246-807-135	NEW	94-16-012	246-830-475	NEW	94-13-181
246-453-070	AMD-P	94-09-026	246-807-173	AMD-P	94-11-080	246-830-480	NEW-P	94-05-080
246-453-070	AMD	94-12-089	246-807-173	AMD	94-16-012	246-830-480	NEW	94-13-181
246-453-090	AMD-P	94-09-026	246-807-300	AMD-P	94-11-080	246-830-485	NEW-P	94-05-080
246-453-090	AMD	94-12-089	246-807-300	AMD	94-16-012	246-830-485	NEW-W	94-18-103
246-454-001	AMD-P	94-09-026	246-815-030	AMD	94-05-053	246-830-990	PREP	94-13-178
246-454-001	AMD	94-12-089	246-815-050	PREP	94-23-067	246-838	PREP	94-23-074
246-454-010	AMD-P	94-09-026	246-815-070	AMD-P	94-22-071	246-838-010	PREP	94-23-075
246-454-010	AMD	94-12-089	246-815-300	NEW	94-04-005	246-838-040	AMD-P	94-05-033
246-454-020	AMD-P	94-09-026	246-815-990	AMD	94-02-059	246-838-040	AMD	94-08-050
246-454-020	AMD	94-12-089	246-816	PREP	94-22-004	246-838-070	AMD-P	94-05-033
246-454-030	AMD-P	94-09-026	246-816-015	NEW-P	94-03-045	246-838-070	AMD	94-08-050
246-454-030	AMD	94-12-089	246-816-015	NEW	94-12-038	246-838-080	AMD-P	94-05-033
246-454-040	REP-P	94-09-026	246-818	PREP	94-13-005	246-838-080	AMD	94-08-050
246-454-040	REP	94-12-089	246-818	PREP	94-22-004	246-838-090	AMD-P	94-05-033
246-454-050	AMD-P	94-09-026	246-818-015	NEW-P	94-03-044	246-838-090	AMD	94-08-050
246-454-050	AMD	94-12-089	246-818-015	NEW	94-08-011	246-838-110	AMD-P	94-05-033
246-454-060	REP-P	94-09-026	246-818-020	AMD-P	94-06-046	246-838-110	AMD	94-08-050
246-454-060	REP	94-12-089	246-818-020	AMD	94-11-088	246-838-130	PREP	94-23-076
246-454-070	AMD-P	94-09-026	246-818-142	NEW-P	94-19-093	246-838-180	AMD-P	94-05-033
246-454-070	AMD	94-12-089	246-818-142	NEW	94-22-072	246-838-180	AMD	94-08-050
246-454-080	AMD-P	94-09-026	246-818-143	NEW-P	94-19-093	246-838-260	PREP	94-20-077
246-454-080	AMD	94-12-089	246-818-143	NEW	94-22-072	246-838-990	AMD-P	94-05-035
246-454-090	AMD-P	94-09-026	246-818-990	REP	94-02-058	246-838-990	AMD	94-08-102
246-454-090	AMD	94-12-089	246-818-991	NEW	94-02-058	246-839	PREP	94-23-074
246-454-100	REP-P	94-09-026	246-824	PREP	94-10-026	246-839-020	AMD	94-07-012
246-454-100	REP	94-12-089	246-824-075	PREP	94-22-003	246-839-020	PREP	94-10-057
246-454-110	AMD-P	94-09-026	246-824-200	NEW-P	94-02-057	246-839-020	AMD-P	94-16-104
246-454-110	AMD	94-12-089	246-824-200	NEW-W	94-15-069	246-839-020	AMD	94-20-081
246-454-120	AMD-P	94-09-026	246-824-210	NEW-P	94-02-057	246-839-030	AMD	94-07-012
246-454-120	AMD	94-12-089	246-824-210	NEW-W	94-15-069	246-839-040	AMD	94-07-012
246-455-001	AMD-P	94-09-007	246-824-220	NEW-P	94-02-057	246-839-050	AMD	94-07-012
246-455-001	AMD	94-12-090	246-824-220	NEW	94-06-047	246-839-060	AMD	94-07-012
246-455-010	AMD-P	94-09-007	246-824-220	PREP	94-22-003	246-839-070	AMD	94-07-012
246-455-010	AMD	94-12-090	246-824-230	NEW-P	94-02-057	246-839-080	AMD	94-07-012
246-455-020	AMD-P	94-09-007	246-824-230	NEW	94-06-047	246-839-090	AMD	94-07-012
246-455-020	AMD	94-12-090	246-824-990	AMD-P	94-05-032	246-839-120	PREP	94-23-076

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
246-839-300	PREP	94-10-056	246-853-025	AMD-P	94-11-093	246-887-100	AMD	94-07-105
246-839-300	PREP	94-11-079	246-853-025	AMD	94-15-068	246-887-100	AMD	94-08-098
246-839-300	AMD-P	94-20-078	246-853-260	AMD-P	94-11-093	246-887-133	NEW	94-08-098
246-839-300	AMD	95-01-107	246-853-260	AMD	94-15-068	246-887-140	AMD-P	94-04-111
246-839-305	NEW-P	94-20-078	246-853-500	NEW-P	94-11-093	246-887-140	AMD	94-07-105
246-839-305	NEW	95-01-107	246-853-500	NEW	94-15-068	246-887-150	AMD-P	94-04-111
246-839-310	PREP	94-10-056	246-853-990	PREP	94-15-063	246-887-150	AMD	94-07-105
246-839-310	PREP	94-11-079	246-853-990	AMD-P	94-18-100	246-887-160	AMD	94-08-098
246-839-310	AMD-P	94-20-078	246-853-990	AMD	94-22-055	246-887-170	AMD	94-08-098
246-839-310	AMD	95-01-107	246-854-030	AMD-P	94-11-093	246-889-020	AMD-P	94-04-111
246-839-315	NEW-P	94-20-078	246-854-030	AMD-W	95-01-001	246-889-020	AMD	94-07-105
246-839-315	NEW	95-01-107	246-854-080	AMD-P	94-11-093	246-891-020	AMD-E	94-24-078
246-839-320	PREP	94-10-056	246-854-080	AMD	94-15-068	246-891-030	AMD-E	94-24-078
246-839-320	PREP	94-11-079	246-856-001	NEW-P	94-11-089	246-901-010	NEW-P	94-04-112
246-839-330	PREP	94-10-056	246-856-001	NEW-C	94-13-053	246-901-010	NEW	94-08-097
246-839-330	PREP	94-11-079	246-856-001	NEW	94-17-144	246-901-020	AMD-P	94-04-112
246-839-340	PREP	94-10-056	246-856-020	NEW-P	94-11-089	246-901-020	AMD	94-08-097
246-839-340	PREP	94-11-079	246-856-020	NEW-C	94-13-053	246-901-030	AMD-P	94-04-112
246-839-340	AMD-P	94-20-078	246-856-020	NEW	94-17-144	246-901-030	AMD	94-08-097
246-839-340	AMD	95-01-107	246-861	PREP	94-11-092	246-901-035	NEW-P	94-04-112
246-839-345	NEW-P	94-20-078	246-861-010	AMD-P	94-18-072	246-901-035	NEW	94-08-097
246-839-345	NEW	95-01-107	246-861-010	AMD-S	94-19-094	246-901-100	AMD-P	94-04-112
246-839-350	PREP	94-10-056	246-861-020	AMD-P	94-18-072	246-901-100	AMD	94-08-097
246-839-350	PREP	94-11-079	246-861-020	AMD-S	94-19-094	246-901-130	AMD-P	94-04-112
246-839-360	PREP	94-10-056	246-861-030	REP-P	94-18-072	246-901-130	AMD	94-08-097
246-839-360	PREP	94-11-079	246-861-030	REP-S	94-19-094	246-907-020	AMD-P	94-08-096
246-839-365	PREP	94-10-056	246-861-040	AMD-P	94-18-072	246-907-020	AMD	94-14-038
246-839-365	PREP	94-11-079	246-861-040	AMD-S	94-19-094	246-907-030	AMD	94-05-036
246-839-365	NEW-P	94-20-078	246-861-050	AMD-P	94-18-072	246-915-040	AMD	94-05-014
246-839-365	NEW	95-01-107	246-861-050	AMD-S	94-19-094	246-915-050	AMD	94-05-014
246-839-700	PREP	94-20-077	246-861-055	NEW-P	94-18-072	246-915-078	NEW	94-05-014
246-839-710	PREP	94-20-077	246-861-055	NEW-S	94-19-094	246-915-085	NEW	94-05-014
246-839-720	PREP	94-20-077	246-861-060	AMD-P	94-18-072	246-915-090	AMD	94-05-014
246-839-730	PREP	94-20-077	246-861-060	AMD-S	94-19-094	246-915-120	AMD	94-05-014
246-839-740	PREP	94-20-077	246-861-090	AMD-S	94-19-094	246-915-140	AMD	94-05-014
246-843-010	PREP	94-14-031	246-863	PREP	94-21-014	246-915-160	AMD	94-05-014
246-843-010	AMD-P	95-01-106	246-863-020	AMD-P	94-04-113	246-915-340	NEW	94-05-014
246-843-090	PREP	94-14-031	246-863-020	AMD	94-08-099	246-917	PREP	95-01-062
246-843-090	AMD-P	95-01-106	246-863-030	AMD-P	94-04-113	246-917-100	AMD-P	94-08-095
246-843-205	PREP	94-14-031	246-863-030	AMD	94-08-099	246-917-100	AMD	94-15-064
246-843-205	AMD-P	95-01-106	246-865-060	AMD	94-02-077	246-917-120	AMD-P	94-08-095
246-843-240	PREP	94-14-031	246-869	PREP	94-11-090	246-917-120	AMD	94-15-064
246-843-240	REP-P	95-01-106	246-869-240	PREP	94-21-014	246-918	PREP	95-01-062
246-843-320	PREP	94-14-031	246-875	PREP	94-11-091	246-918-095	NEW-P	94-08-094
246-843-320	AMD-P	95-01-106	246-878-010	NEW-P	94-02-079	246-918-095	NEW	94-15-065
246-843-990	AMD-P	94-05-065	246-878-010	NEW	94-08-101	246-918-105	NEW-P	94-08-094
246-843-990	AMD	94-09-006	246-878-020	NEW-P	94-02-079	246-918-105	NEW	94-15-065
246-847-040	AMD-P	94-10-059	246-878-020	NEW	94-08-101	246-920	PREP	95-01-062
246-847-040	AMD	94-20-036	246-878-030	NEW-P	94-02-079	246-920-115	NEW-P	94-07-011
246-847-050	AMD-P	94-10-059	246-878-030	NEW	94-08-101	246-920-115	NEW-W	94-20-092
246-847-050	AMD	94-20-036	246-878-040	NEW-P	94-02-079	246-922-032	NEW	94-05-051
246-847-060	AMD-P	94-10-059	246-878-040	NEW	94-08-101	246-922-033	NEW	94-05-051
246-847-060	AMD	94-20-036	246-878-050	NEW-P	94-02-079	246-922-100	AMD	94-05-051
246-847-068	AMD-P	94-10-059	246-878-050	NEW	94-08-101	246-922-110	REP	94-05-051
246-847-068	AMD	94-20-036	246-878-060	NEW-P	94-02-079	246-922-120	AMD	94-05-051
246-847-190	AMD-P	94-10-059	246-878-060	NEW	94-08-101	246-922-220	REP	94-05-051
246-847-190	AMD	94-20-036	246-878-070	NEW-P	94-02-079	246-922-250	REP	94-05-051
246-847-990	PREP	94-15-063	246-878-070	NEW	94-08-101	246-922-260	AMD	94-05-051
246-847-990	AMD-P	94-18-100	246-878-080	NEW-P	94-02-079	246-922-300	AMD	94-05-051
246-847-990	AMD	94-22-055	246-878-080	NEW	94-08-101	246-922-310	AMD	94-05-051
246-851	PREP	94-10-026	246-878-090	NEW-P	94-02-079	246-922-400	NEW-P	94-08-079
246-851-110	AMD	94-04-041	246-878-090	NEW	94-08-101	246-922-400	NEW	94-14-082
246-851-540	NEW-W	94-13-086	246-878-100	NEW-P	94-02-079	246-922-405	NEW-P	94-08-079
246-851-550	NEW	94-04-041	246-878-100	NEW	94-08-101	246-922-405	NEW	94-14-082
246-851-560	NEW-P	94-24-017	246-878-110	NEW-P	94-02-079	246-922-410	NEW-P	94-08-079
246-852-010	NEW-P	94-14-080	246-878-110	NEW	94-08-101	246-922-410	NEW	94-14-082
246-852-010	NEW	94-17-101	246-878-120	NEW-P	94-02-079	246-922-415	NEW-P	94-08-079
246-852-020	NEW-P	94-14-080	246-878-120	NEW	94-08-101	246-922-415	NEW	94-14-082
246-852-020	NEW	94-17-101	246-883-030	AMD-P	94-02-078	246-922-500	NEW-P	94-05-081
246-852-030	NEW-P	94-14-080	246-883-030	AMD	94-08-100	246-922-500	NEW	94-09-008
246-852-030	NEW	94-17-101	246-886-030	AMD	94-02-060	246-922-990	PREP	94-15-063
246-852-040	NEW-P	94-14-080	246-887	AMD-C	94-02-089	246-922-990	AMD-P	94-18-100
246-852-040	NEW	94-17-101	246-887-100	AMD-P	94-04-111	246-922-990	AMD	94-22-055

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
246-924-020	AMD-P	94-08-039	246-930-301	AMD-P	94-09-027	248-14-010	REP-P	94-18-012
246-924-020	AMD	94-12-039	246-930-301	AMD	94-13-179	248-14-010	REP-E	94-21-034
246-924-040	AMD-P	94-08-039	246-930-310	AMD-P	94-09-027	248-14-010	REP	94-21-037
246-924-040	AMD	94-12-039	246-930-310	AMD	94-13-179	248-14-020	REP-P	94-18-012
246-924-050	AMD-P	94-08-039	246-930-320	AMD-P	94-09-027	248-14-020	REP-E	94-21-034
246-924-050	AMD	94-12-039	246-930-320	AMD	94-13-179	248-14-020	REP	94-21-037
246-924-080	AMD-P	94-08-039	246-930-330	AMD-P	94-09-027	248-14-030	REP-P	94-18-012
246-924-080	AMD	94-12-039	246-930-330	AMD	94-13-179	248-14-030	REP-E	94-21-034
246-924-095	NEW-P	94-08-039	246-930-340	AMD-P	94-09-027	248-14-030	REP	94-21-037
246-924-095	NEW-E	94-09-024	246-930-340	AMD	94-13-179	248-14-040	REP-P	94-18-012
246-924-095	NEW	94-12-039	246-930-410	AMD-P	94-09-027	248-14-040	REP-E	94-21-034
246-924-110	AMD-P	94-08-039	246-930-410	AMD	94-13-179	248-14-040	REP	94-21-037
246-924-110	AMD	94-12-039	246-930-420	NEW-P	94-09-027	248-14-060	REP-P	94-18-012
246-924-120	AMD-P	94-08-039	246-930-420	NEW	94-13-179	248-14-060	REP-E	94-21-034
246-924-120	AMD	94-12-039	246-930-430	NEW-P	94-09-027	248-14-060	REP	94-21-037
246-924-130	AMD-P	94-08-039	246-930-430	NEW	94-13-179	248-14-065	REP-P	94-18-012
246-924-130	AMD	94-12-039	246-930-490	NEW-P	94-09-027	248-14-065	REP-E	94-21-034
246-924-190	REP-P	94-08-039	246-930-490	NEW	94-13-179	248-14-065	REP	94-21-037
246-924-190	REP	94-12-039	246-930-990	AMD-P	94-09-027	248-14-070	REP-P	94-18-012
246-924-200	REP-P	94-08-039	246-930-990	AMD	94-13-179	248-14-070	REP-E	94-21-034
246-924-200	REP	94-12-039	246-937-010	NEW-S	94-19-095	248-14-070	REP	94-21-037
246-924-210	REP-P	94-08-039	246-937-010	NEW-E	94-19-096	248-14-071	REP-P	94-18-012
246-924-210	REP	94-12-039	246-937-020	NEW-E	94-08-051	248-14-071	REP-E	94-21-034
246-924-220	REP-P	94-08-039	246-937-020	NEW-P	94-08-052	248-14-071	REP	94-21-037
246-924-220	REP	94-12-039	246-937-020	NEW-S	94-19-095	248-14-080	REP-P	94-18-012
246-924-230	AMD-P	94-08-039	246-937-020	NEW-E	94-19-096	248-14-080	REP-E	94-21-034
246-924-230	AMD	94-12-039	246-937-030	NEW-E	94-08-051	248-14-080	REP	94-21-037
246-924-240	AMD-P	94-08-039	246-937-030	NEW-P	94-08-052	248-14-090	REP-P	94-18-012
246-924-240	AMD	94-12-039	246-937-030	NEW-S	94-19-095	248-14-090	REP-E	94-21-034
246-924-250	AMD-P	94-08-039	246-937-030	NEW-E	94-19-096	248-14-090	REP	94-21-037
246-924-250	AMD	94-12-039	246-937-040	NEW-E	94-08-051	248-14-100	REP-P	94-18-012
246-924-260	REP-P	94-08-039	246-937-040	NEW-P	94-08-052	248-14-100	REP-E	94-21-034
246-924-260	REP	94-12-039	246-937-040	NEW-S	94-19-095	248-14-100	REP	94-21-037
246-924-270	REP-P	94-08-039	246-937-040	NEW-E	94-19-096	248-14-110	REP-P	94-18-012
246-924-270	REP	94-12-039	246-937-050	NEW-S	94-19-095	248-14-110	REP-E	94-21-034
246-924-280	REP-P	94-08-039	246-937-050	NEW-E	94-19-096	248-14-110	REP	94-21-037
246-924-280	REP	94-12-039	246-937-060	NEW-S	94-19-095	248-14-114	REP-P	94-18-012
246-924-290	AMD-P	94-08-039	246-937-060	NEW-E	94-19-096	248-14-114	REP-E	94-21-034
246-924-290	AMD	94-12-039	246-937-070	NEW-E	94-08-051	248-14-114	REP	94-21-037
246-924-300	AMD-P	94-08-039	246-937-070	NEW-P	94-08-052	248-14-120	REP-P	94-18-012
246-924-300	AMD	94-12-039	246-937-070	NEW-S	94-19-095	248-14-120	REP-E	94-21-034
246-924-310	REP-P	94-08-039	246-937-070	NEW-E	94-19-096	248-14-120	REP	94-21-037
246-924-310	REP	94-12-039	246-937-080	NEW-E	94-08-051	248-14-125	REP-P	94-18-012
246-924-320	AMD-P	94-08-039	246-937-080	NEW-P	94-08-052	248-14-125	REP-E	94-21-034
246-924-320	AMD	94-12-039	246-937-080	NEW-S	94-19-095	248-14-125	REP	94-21-037
246-924-460	REP-P	94-08-039	246-937-080	NEW-E	94-19-096	248-14-128	REP-P	94-18-012
246-924-460	REP	94-12-039	246-937-090	NEW-E	94-08-051	248-14-128	REP-E	94-21-034
246-924-490	NEW-P	94-08-039	246-937-090	NEW-P	94-08-052	248-14-128	REP	94-21-037
246-924-490	NEW	94-12-039	246-937-090	NEW-S	94-19-095	248-14-130	REP-P	94-18-012
246-930-010	AMD-P	94-09-027	246-937-090	NEW-E	94-19-096	248-14-130	REP-E	94-21-034
246-930-010	AMD	94-13-179	246-937-100	NEW-S	94-19-095	248-14-130	REP	94-21-037
246-930-020	AMD-P	94-09-027	246-937-100	NEW-E	94-19-096	248-14-140	REP-P	94-18-012
246-930-020	AMD	94-13-179	246-937-990	NEW-P	94-08-076	248-14-140	REP-E	94-21-034
246-930-030	AMD-P	94-09-027	246-937-990	NEW-E	94-08-077	248-14-140	REP	94-21-037
246-930-030	AMD	94-13-179	246-937-990	NEW-C	94-19-097	248-14-150	REP-P	94-18-012
246-930-040	AMD-P	94-09-027	246-937-990	NEW	94-19-098	248-14-150	REP-E	94-21-034
246-930-040	AMD	94-13-179	247-04-010	NEW-P	94-12-021	248-14-150	REP	94-21-037
246-930-050	AMD-P	94-09-027	247-04-010	NEW	94-15-053	248-14-152	REP-P	94-18-012
246-930-050	AMD	94-13-179	247-04-020	NEW-P	94-12-021	248-14-152	REP-E	94-21-034
246-930-060	AMD-P	94-09-027	247-04-020	NEW	94-15-053	248-14-152	REP	94-21-037
246-930-060	AMD	94-13-179	247-04-030	NEW-P	94-12-021	248-14-155	REP-P	94-18-012
246-930-070	AMD-P	94-09-027	247-04-030	NEW	94-15-053	248-14-155	REP-E	94-21-034
246-930-070	AMD	94-13-179	247-04-040	NEW-P	94-12-021	248-14-155	REP	94-21-037
246-930-075	AMD-P	94-09-027	247-04-040	NEW	94-15-053	248-14-160	REP-P	94-18-012
246-930-075	AMD	94-13-179	247-06-010	NEW-P	94-12-022	248-14-160	REP-E	94-21-034
246-930-200	AMD-P	94-09-027	247-06-010	NEW	94-15-054	248-14-160	REP	94-21-037
246-930-200	AMD	94-13-179	247-06-020	NEW-P	94-12-022	248-14-170	REP-P	94-18-012
246-930-210	AMD-P	94-09-027	247-06-020	NEW	94-15-054	248-14-170	REP-E	94-21-034
246-930-210	AMD	94-13-179	247-06-030	NEW-P	94-12-022	248-14-170	REP	94-21-037
246-930-220	AMD-P	94-09-027	247-06-030	NEW	94-15-054	248-14-180	REP-P	94-18-012
246-930-220	AMD	94-13-179	248-14-001	REP-P	94-18-012	248-14-180	REP-E	94-21-034
246-930-300	AMD-P	94-09-027	248-14-001	REP-E	94-21-034	248-14-180	REP	94-21-037
246-930-300	AMD	94-13-179	248-14-001	REP	94-21-037	248-14-200	REP-P	94-18-012

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
248-14-200	REP-E	94-21-034	248-14-550	REP	94-21-037	250-61-140	AMD	95-01-003
248-14-200	REP	94-21-037	248-14-560	REP-P	94-18-012	250-61-150	AMD-P	94-17-166
248-14-211	REP-P	94-18-012	248-14-560	REP-E	94-21-034	250-61-150	AMD	95-01-003
248-14-211	REP-E	94-21-034	248-14-560	REP	94-21-037	250-61-160	AMD-P	94-17-166
248-14-211	REP	94-21-037	248-14-570	REP-P	94-18-012	250-61-160	AMD	95-01-003
248-14-230	REP-P	94-18-012	248-14-570	REP-E	94-21-034	250-61-170	AMD-P	94-17-166
248-14-230	REP-E	94-21-034	248-14-570	REP	94-21-037	250-61-170	AMD	95-01-003
248-14-230	REP	94-21-037	250-14-020	NEW-P	94-16-125	250-61-180	AMD-P	94-17-166
248-14-235	REP-P	94-18-012	250-14-020	NEW	94-24-028	250-61-180	AMD	95-01-003
248-14-235	REP-E	94-21-034	250-14-030	NEW-P	94-16-125	250-61-190	AMD-P	94-17-166
248-14-235	REP	94-21-037	250-14-030	NEW	94-24-028	250-61-190	AMD	95-01-003
248-14-240	REP-P	94-18-012	250-14-040	NEW-P	94-16-125	250-61-200	NEW-P	94-17-166
248-14-240	REP-E	94-21-034	250-14-040	NEW	94-24-028	250-61-200	NEW	95-01-003
248-14-240	REP	94-21-037	250-14-050	NEW-P	94-16-125	250-61-210	NEW-P	94-17-166
248-14-245	REP-P	94-18-012	250-14-050	NEW	94-24-028	250-61-210	NEW	95-01-003
248-14-245	REP-E	94-21-034	250-14-060	NEW-P	94-16-125	250-61-220	NEW-P	94-17-166
248-14-245	REP	94-21-037	250-14-060	NEW	94-24-028	250-61-220	NEW	95-01-003
248-14-247	REP-P	94-18-012	250-14-070	NEW-P	94-16-125	250-62-010	NEW-W	94-06-018
248-14-247	REP-E	94-21-034	250-14-070	NEW	94-24-028	250-62-020	NEW-W	94-06-018
248-14-247	REP	94-21-037	250-14-080	NEW-P	94-16-125	250-62-030	NEW-W	94-06-018
248-14-249	REP-P	94-18-012	250-14-080	NEW	94-24-028	250-62-040	NEW-W	94-06-018
248-14-249	REP-E	94-21-034	250-28-020	AMD-P	95-01-067	250-62-050	NEW-W	94-06-018
248-14-249	REP	94-21-037	250-28-030	AMD-P	95-01-067	250-62-060	NEW-W	94-06-018
248-14-250	REP-P	94-18-012	250-28-060	AMD-P	95-01-067	250-62-070	NEW-W	94-06-018
248-14-250	REP-E	94-21-034	250-28-070	AMD-P	95-01-067	250-62-080	NEW-W	94-06-018
248-14-250	REP	94-21-037	250-40	AMD-P	94-09-058	250-62-090	NEW-W	94-06-018
248-14-260	REP-P	94-18-012	250-40	AMD	94-14-006	250-62-100	NEW-W	94-06-018
248-14-260	REP-E	94-21-034	250-40-020	AMD-P	94-09-058	250-62-110	NEW-W	94-06-018
248-14-260	REP	94-21-037	250-40-020	AMD	94-14-006	250-62-120	NEW-W	94-06-018
248-14-264	REP-P	94-18-012	250-40-040	AMD-P	94-09-058	250-62-130	NEW-W	94-06-018
248-14-264	REP-E	94-21-034	250-40-040	AMD	94-14-006	250-62-140	NEW-W	94-06-018
248-14-264	REP	94-21-037	250-40-050	AMD-P	94-09-058	250-62-150	NEW-W	94-06-018
248-14-266	REP-P	94-18-012	250-40-050	AMD	94-14-006	250-62-160	NEW-W	94-06-018
248-14-266	REP-E	94-21-034	250-40-070	AMD-P	94-09-058	250-62-170	NEW-W	94-06-018
248-14-266	REP	94-21-037	250-40-070	AMD	94-14-006	250-62-180	NEW-W	94-06-018
248-14-268	REP-P	94-18-012	250-44	AMD-C	94-15-033	250-62-190	NEW-W	94-06-018
248-14-268	REP-E	94-21-034	250-44	AMD-C	94-22-064	250-62-200	NEW-W	94-06-018
248-14-268	REP	94-21-037	250-44-050	AMD-P	94-10-001	250-62-210	NEW-W	94-06-018
248-14-270	REP-P	94-18-012	250-44-050	AMD-W	94-23-063	250-66-030	AMD-P	94-09-060
248-14-270	REP-E	94-21-034	250-44-050	AMD-P	94-23-073	250-66-030	AMD	94-14-007
248-14-270	REP	94-21-037	250-44-110	AMD-P	94-10-001	250-78-010	AMD-P	94-09-061
248-14-285	REP-P	94-18-012	250-44-110	AMD-W	94-23-063	250-78-010	AMD	94-14-008
248-14-285	REP-E	94-21-034	250-44-110	AMD-P	94-23-073	250-78-020	AMD-P	94-09-061
248-14-285	REP	94-21-037	250-44-130	AMD-P	94-10-001	250-78-020	AMD	94-14-008
248-14-290	REP-P	94-18-012	250-44-130	AMD-W	94-23-063	250-78-030	AMD-P	94-09-061
248-14-290	REP-E	94-21-034	250-44-130	AMD-P	94-23-073	250-78-030	AMD	94-14-008
248-14-290	REP	94-21-037	250-61-010	AMD-P	94-17-166	250-78-040	AMD-P	94-09-061
248-14-295	REP-P	94-18-012	250-61-010	AMD	95-01-003	250-78-040	AMD	94-14-008
248-14-295	REP-E	94-21-034	250-61-020	AMD-P	94-17-166	250-78-050	AMD-P	94-09-061
248-14-295	REP	94-21-037	250-61-020	AMD	95-01-003	250-78-050	AMD	94-14-008
248-14-296	REP-P	94-18-012	250-61-030	AMD-P	94-17-166	250-78-060	AMD-P	94-09-061
248-14-296	REP-E	94-21-034	250-61-030	AMD	95-01-003	250-78-060	AMD	94-14-008
248-14-296	REP	94-21-037	250-61-040	AMD-P	94-17-166	250-79-010	NEW-C	94-04-093
248-14-298	REP-P	94-18-012	250-61-040	AMD	95-01-003	250-79-010	NEW	94-14-064
248-14-298	REP-E	94-21-034	250-61-050	AMD-P	94-17-166	251-04-040	AMD	94-16-049
248-14-298	REP	94-21-037	250-61-050	AMD	95-01-003	251-04-105	AMD-P	94-12-057
248-14-300	REP-P	94-18-012	250-61-060	AMD-P	94-17-166	251-04-105	AMD-C	94-16-052
248-14-300	REP-E	94-21-034	250-61-060	AMD	95-01-003	251-04-105	AMD	94-20-025
248-14-300	REP	94-21-037	250-61-070	AMD-P	94-17-166	251-06-020	AMD-P	94-12-058
248-14-510	REP-P	94-18-012	250-61-070	AMD	95-01-003	251-06-020	AMD-C	94-16-053
248-14-510	REP-E	94-21-034	250-61-080	AMD-P	94-17-166	251-06-020	AMD-C	94-20-023
248-14-510	REP	94-21-037	250-61-080	AMD	95-01-003	251-06-020	AMD-C	94-21-091
248-14-520	REP-P	94-18-012	250-61-090	AMD-P	94-17-166	251-06-020	AMD-C	94-23-139
248-14-520	REP-E	94-21-034	250-61-090	AMD	95-01-003	251-06-020	AMD-W	95-01-071
248-14-520	REP	94-21-037	250-61-100	AMD-P	94-17-166	251-08-112	AMD-P	94-12-058
248-14-530	REP-P	94-18-012	250-61-100	AMD	95-01-003	251-08-112	AMD-C	94-16-053
248-14-530	REP-E	94-21-034	250-61-110	AMD-P	94-17-166	251-08-112	AMD-C	94-20-023
248-14-530	REP	94-21-037	250-61-110	AMD	95-01-003	251-08-112	AMD-C	94-21-091
248-14-540	REP-P	94-18-012	250-61-120	AMD-P	94-17-166	251-08-112	AMD-C	94-23-139
248-14-540	REP-E	94-21-034	250-61-120	AMD	95-01-003	251-08-112	AMD-W	95-01-071
248-14-540	REP	94-21-037	250-61-130	AMD-P	94-17-166	251-23-010	REP-W	94-04-010
248-14-550	REP-P	94-18-012	250-61-130	AMD	95-01-003	251-23-015	REP-W	94-04-010
248-14-550	REP-E	94-21-034	250-61-140	AMD-P	94-17-166	251-23-020	REP-W	94-04-010

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
251-23-030	REP-W	94-04-010	275-27-223	AMD	94-04-092	275-56-075	REP-S	94-17-118
251-23-040	REP-W	94-04-010	275-30-020	AMD-P	94-12-026	275-56-075	REP	94-20-033
251-23-050	REP-W	94-04-010	275-30-020	AMD	94-15-002	275-56-080	REP-P	94-12-005
251-23-060	REP-W	94-04-010	275-35-030	AMD-P	94-08-007	275-56-080	REP-S	94-17-118
253-02-040	AMD-P	94-12-092	275-35-030	AMD	94-11-065	275-56-080	REP	94-20-033
253-02-040	AMD-C	94-17-013	275-35-060	AMD-P	94-08-007	275-56-085	REP-P	94-12-005
253-02-040	AMD	95-01-007	275-35-060	AMD	94-11-065	275-56-085	REP-S	94-17-118
253-16-090	AMD-P	94-12-092	275-35-070	AMD-P	94-08-007	275-56-085	REP	94-20-033
253-16-090	AMD-C	94-17-013	275-35-070	AMD	94-11-065	275-56-087	REP-P	94-12-005
253-16-090	AMD	95-01-007	275-35-080	AMD-P	94-08-007	275-56-087	REP-S	94-17-118
259-04-060	AMD-E	94-07-059	275-35-080	AMD	94-11-065	275-56-087	REP	94-20-033
259-04-060	AMD-P	94-07-096	275-47-010	NEW-P	94-12-066	275-56-088	REP-P	94-12-005
259-04-060	AMD	94-12-029	275-47-010	NEW	94-15-009	275-56-088	REP-S	94-17-118
260-12	PREP	94-23-014	275-47-020	NEW-P	94-12-066	275-56-088	REP	94-20-033
260-12-010	AMD-W	94-09-003	275-47-020	NEW	94-15-009	275-56-089	REP-P	94-12-005
260-12-090	REP-W	94-09-003	275-47-030	NEW-P	94-12-066	275-56-089	REP-S	94-17-118
260-12-250	PREP	94-20-069	275-47-030	NEW	94-15-009	275-56-089	REP	94-20-033
260-12-250	NEW-P	94-23-015	275-47-040	NEW-P	94-12-066	275-56-090	REP-P	94-12-005
260-24-010	AMD-W	94-09-003	275-47-040	NEW	94-15-009	275-56-090	REP-S	94-17-118
260-24-080	AMD-W	94-09-003	275-55-221	NEW-E	94-03-004	275-56-090	REP	94-20-033
260-24-110	AMD-W	94-09-003	275-55-221	NEW-P	94-03-005	275-56-095	REP-P	94-12-005
260-24-120	AMD-W	94-09-003	275-55-221	NEW	94-06-025	275-56-095	REP-S	94-17-118
260-24-140	AMD-W	94-09-003	275-56	REP-C	94-16-072	275-56-095	REP	94-20-033
260-24-150	AMD-W	94-09-003	275-56-005	REP-P	94-12-005	275-56-100	REP-P	94-12-005
260-24-170	AMD-W	94-09-003	275-56-005	REP-S	94-17-118	275-56-100	REP-S	94-17-118
260-24-180	AMD-W	94-09-003	275-56-005	REP	94-20-033	275-56-100	REP	94-20-033
260-24-200	AMD-W	94-09-003	275-56-010	REP-P	94-12-005	275-56-105	REP-P	94-12-005
260-24-210	AMD-W	94-09-003	275-56-010	REP-S	94-17-118	275-56-105	REP-S	94-17-118
260-24-285	AMD-W	94-09-003	275-56-010	REP	94-20-033	275-56-105	REP	94-20-033
260-24-290	AMD-W	94-09-003	275-56-015	AMD	94-07-020	275-56-110	REP-P	94-12-005
260-24-315	AMD-W	94-09-003	275-56-015	REP-P	94-12-005	275-56-110	REP-S	94-17-118
260-24-440	AMD-W	94-09-003	275-56-015	REP-S	94-17-118	275-56-110	REP	94-20-033
260-24-460	AMD-W	94-09-003	275-56-015	REP	94-20-033	275-56-115	REP-P	94-12-005
260-24-470	AMD-W	94-09-003	275-56-016	REP-P	94-12-005	275-56-115	REP-S	94-17-118
260-24-500	AMD-W	94-09-003	275-56-016	REP-S	94-17-118	275-56-115	REP	94-20-033
260-24-510	AMD-W	94-09-003	275-56-016	REP	94-20-033	275-56-135	REP-P	94-12-005
260-24-520	AMD-W	94-09-003	275-56-017	REP-P	94-12-005	275-56-135	REP-S	94-17-118
260-34-030	AMD-W	94-09-003	275-56-017	REP-S	94-17-118	275-56-135	REP	94-20-033
260-36-080	AMD	94-04-002	275-56-017	REP	94-20-033	275-56-150	REP-P	94-12-005
260-40	PREP	94-23-014	275-56-020	REP-P	94-12-005	275-56-150	REP-S	94-17-118
260-48	PREP	94-23-014	275-56-020	REP-S	94-17-118	275-56-150	REP	94-20-033
260-48-322	AMD-P	94-05-077	275-56-020	REP	94-20-033	275-56-170	REP-P	94-12-005
260-48-322	AMD-W	94-17-072	275-56-025	REP-P	94-12-005	275-56-170	REP-S	94-17-118
260-48-324	AMD-P	94-05-076	275-56-025	REP-S	94-17-118	275-56-170	REP	94-20-033
260-48-324	AMD-W	94-17-072	275-56-025	REP	94-20-033	275-56-175	REP-P	94-12-005
260-48-328	AMD-P	94-05-075	275-56-035	REP-P	94-12-005	275-56-175	REP-S	94-17-118
260-48-328	AMD-W	94-17-072	275-56-035	REP-S	94-17-118	275-56-175	REP	94-20-033
260-52	PREP	94-23-014	275-56-035	REP	94-20-033	275-56-180	REP-P	94-12-005
260-70-010	AMD-W	94-09-003	275-56-040	REP-P	94-12-005	275-56-180	REP-S	94-17-118
260-70-026	PREP	94-15-097	275-56-040	REP-S	94-17-118	275-56-180	REP	94-20-033
260-70-026	AMD-P	94-17-143	275-56-040	REP	94-20-033	275-56-185	REP-P	94-12-005
260-70-026	AMD	94-20-070	275-56-042	REP-P	94-12-005	275-56-185	REP-S	94-17-118
260-70-040	AMD	94-04-002	275-56-042	REP-S	94-17-118	275-56-185	REP	94-20-033
260-72-020	AMD	94-04-003	275-56-042	REP	94-20-033	275-56-195	REP-P	94-12-005
263-12-015	PREP	94-21-093	275-56-043	REP-P	94-12-005	275-56-195	REP-S	94-17-118
263-12-015	PREP	94-21-095	275-56-043	REP-S	94-17-118	275-56-195	REP	94-20-033
263-12-015	AMD-P	94-23-039	275-56-043	REP	94-20-033	275-56-200	REP-P	94-12-005
263-12-080	PREP	94-21-095	275-56-050	REP-P	94-12-005	275-56-200	REP-S	94-17-118
263-12-080	AMD-P	94-23-039	275-56-050	REP-S	94-17-118	275-56-200	REP	94-20-033
263-12-140	PREP	94-21-095	275-56-050	REP	94-20-033	275-56-205	REP-P	94-12-005
263-12-140	AMD-P	94-23-039	275-56-055	REP-P	94-12-005	275-56-205	REP-S	94-17-118
263-12-155	PREP	94-21-095	275-56-055	REP-S	94-17-118	275-56-205	REP	94-20-033
263-12-155	AMD-P	94-23-039	275-56-055	REP	94-20-033	275-56-210	REP-P	94-12-005
263-12-165	PREP	94-21-094	275-56-060	REP-P	94-12-005	275-56-210	REP-S	94-17-118
263-12-165	PREP	94-21-095	275-56-060	REP-S	94-17-118	275-56-210	REP	94-20-033
263-12-165	AMD-P	94-23-039	275-56-060	REP	94-20-033	275-56-215	REP-P	94-12-005
263-12-190	PREP	94-21-095	275-56-065	REP-P	94-12-005	275-56-215	REP-S	94-17-118
263-12-190	AMD-P	94-23-039	275-56-065	REP-S	94-17-118	275-56-215	REP	94-20-033
275-16-030	AMD-P	94-13-051	275-56-065	REP	94-20-033	275-56-220	REP-P	94-12-005
275-16-030	AMD-E	94-14-005	275-56-070	REP-P	94-12-005	275-56-220	REP-S	94-17-118
275-16-030	AMD	94-16-048	275-56-070	REP-S	94-17-118	275-56-220	REP	94-20-033
275-27-220	AMD	94-04-092	275-56-070	REP	94-20-033	275-56-225	REP-P	94-12-005
275-27-221	NEW	94-04-092	275-56-075	REP-P	94-12-005	275-56-225	REP-S	94-17-118

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
275-56-225	REP	94-20-033	275-56-505	REP-P	94-12-005	275-57-070	NEW-P	94-12-005
275-56-230	REP-P	94-12-005	275-56-505	REP-S	94-17-118	275-57-070	NEW-S	94-17-118
275-56-230	REP-S	94-17-118	275-56-505	REP	94-20-033	275-57-070	NEW	94-20-033
275-56-230	REP	94-20-033	275-56-515	REP-P	94-12-005	275-57-080	NEW-P	94-12-005
275-56-235	REP-P	94-12-005	275-56-515	REP-S	94-17-118	275-57-080	NEW-S	94-17-118
275-56-235	REP-S	94-17-118	275-56-515	REP	94-20-033	275-57-080	NEW	94-20-033
275-56-235	REP	94-20-033	275-56-600	NEW	94-07-020	275-57-090	NEW-P	94-12-005
275-56-240	REP-P	94-12-005	275-56-600	REP-P	94-12-005	275-57-090	NEW-S	94-17-118
275-56-240	REP-S	94-17-118	275-56-600	REP-S	94-17-118	275-57-090	NEW	94-20-033
275-56-240	REP	94-20-033	275-56-600	REP	94-20-033	275-57-100	NEW-P	94-12-005
275-56-245	REP-P	94-12-005	275-56-610	NEW	94-07-020	275-57-100	NEW-S	94-17-118
275-56-245	REP-S	94-17-118	275-56-610	REP-P	94-12-005	275-57-100	NEW	94-20-033
275-56-245	REP	94-20-033	275-56-610	REP-S	94-17-118	275-57-110	NEW-P	94-12-005
275-56-260	REP-P	94-12-005	275-56-610	REP	94-20-033	275-57-110	NEW-S	94-17-118
275-56-260	REP-S	94-17-118	275-56-630	NEW	94-07-020	275-57-110	NEW	94-20-033
275-56-260	REP	94-20-033	275-56-630	REP-P	94-12-005	275-57-120	NEW-P	94-12-005
275-56-275	REP-P	94-12-005	275-56-630	REP-S	94-17-118	275-57-120	NEW-S	94-17-118
275-56-275	REP-S	94-17-118	275-56-630	REP	94-20-033	275-57-120	NEW	94-20-033
275-56-275	REP	94-20-033	275-56-640	NEW	94-07-020	275-57-130	NEW-P	94-12-005
275-56-285	REP-P	94-12-005	275-56-640	REP-P	94-12-005	275-57-130	NEW-S	94-17-118
275-56-285	REP-S	94-17-118	275-56-640	REP-S	94-17-118	275-57-130	NEW	94-20-033
275-56-285	REP	94-20-033	275-56-640	REP	94-20-033	275-57-140	NEW-P	94-12-005
275-56-290	REP-P	94-12-005	275-56-650	NEW	94-07-020	275-57-140	NEW-S	94-17-118
275-56-290	REP-S	94-17-118	275-56-650	REP-P	94-12-005	275-57-140	NEW	94-20-033
275-56-290	REP	94-20-033	275-56-650	REP-S	94-17-118	275-57-150	NEW-P	94-12-005
275-56-295	REP-P	94-12-005	275-56-650	REP	94-20-033	275-57-150	NEW-S	94-17-118
275-56-295	REP-S	94-17-118	275-56-660	NEW	94-07-020	275-57-150	NEW	94-20-033
275-56-295	REP	94-20-033	275-56-660	REP-P	94-12-005	275-57-160	NEW-P	94-12-005
275-56-300	REP-P	94-12-005	275-56-660	REP-S	94-17-118	275-57-160	NEW-S	94-17-118
275-56-300	REP-S	94-17-118	275-56-660	REP	94-20-033	275-57-160	NEW	94-20-033
275-56-300	REP	94-20-033	275-56-670	NEW	94-07-020	275-57-170	NEW-P	94-12-005
275-56-305	REP-P	94-12-005	275-56-670	REP-P	94-12-005	275-57-170	NEW-S	94-17-118
275-56-305	REP-S	94-17-118	275-56-670	REP-S	94-17-118	275-57-170	NEW	94-20-033
275-56-305	REP	94-20-033	275-56-670	REP	94-20-033	275-57-180	NEW-P	94-12-005
275-56-335	REP-P	94-12-005	275-56-680	NEW	94-07-020	275-57-180	NEW-S	94-17-118
275-56-335	REP-S	94-17-118	275-56-680	REP-P	94-12-005	275-57-180	NEW	94-20-033
275-56-335	REP	94-20-033	275-56-680	REP-S	94-17-118	275-57-190	NEW-P	94-12-005
275-56-340	REP-P	94-12-005	275-56-680	REP	94-20-033	275-57-190	NEW-S	94-17-118
275-56-340	REP-S	94-17-118	275-56-690	NEW	94-07-020	275-57-190	NEW	94-20-033
275-56-340	REP	94-20-033	275-56-690	REP-P	94-12-005	275-57-200	NEW-P	94-12-005
275-56-355	REP-P	94-12-005	275-56-690	REP-S	94-17-118	275-57-200	NEW-S	94-17-118
275-56-355	REP-S	94-17-118	275-56-690	REP	94-20-033	275-57-200	NEW	94-20-033
275-56-355	REP	94-20-033	275-56-700	NEW	94-07-020	275-57-210	NEW-P	94-12-005
275-56-365	REP-P	94-12-005	275-56-700	REP-P	94-12-005	275-57-210	NEW-S	94-17-118
275-56-365	REP-S	94-17-118	275-56-700	REP-S	94-17-118	275-57-210	NEW	94-20-033
275-56-365	REP	94-20-033	275-56-700	REP	94-20-033	275-57-220	NEW-P	94-12-005
275-56-385	REP-P	94-12-005	275-56-710	NEW	94-07-020	275-57-220	NEW-S	94-17-118
275-56-385	REP-S	94-17-118	275-56-710	REP-P	94-12-005	275-57-220	NEW	94-20-033
275-56-385	REP	94-20-033	275-56-710	REP-S	94-17-118	275-57-230	NEW-P	94-12-005
275-56-400	REP-P	94-12-005	275-56-710	REP	94-20-033	275-57-230	NEW-S	94-17-118
275-56-400	REP-S	94-17-118	275-56-720	NEW	94-07-020	275-57-230	NEW	94-20-033
275-56-400	REP	94-20-033	275-56-720	REP-P	94-12-005	275-57-240	NEW-P	94-12-005
275-56-425	REP-P	94-12-005	275-56-720	REP-S	94-17-118	275-57-240	NEW-S	94-17-118
275-56-425	REP-S	94-17-118	275-56-720	REP	94-20-033	275-57-240	NEW	94-20-033
275-56-425	REP	94-20-033	275-57	NEW-C	94-16-072	275-57-250	NEW-P	94-12-005
275-56-445	REP-P	94-12-005	275-57-010	NEW-P	94-12-005	275-57-250	NEW-S	94-17-118
275-56-445	REP-S	94-17-118	275-57-010	NEW-S	94-17-118	275-57-250	NEW	94-20-033
275-56-445	REP	94-20-033	275-57-010	NEW	94-20-033	275-57-260	NEW-P	94-12-005
275-56-447	REP-P	94-12-005	275-57-020	NEW-P	94-12-005	275-57-260	NEW-S	94-17-118
275-56-447	REP-S	94-17-118	275-57-020	NEW-S	94-17-118	275-57-260	NEW	94-20-033
275-56-447	REP	94-20-033	275-57-020	NEW	94-20-033	275-57-270	NEW-P	94-12-005
275-56-465	REP-P	94-12-005	275-57-030	NEW-P	94-12-005	275-57-270	NEW-S	94-17-118
275-56-465	REP-S	94-17-118	275-57-030	NEW-S	94-17-118	275-57-270	NEW	94-20-033
275-56-465	REP	94-20-033	275-57-030	NEW	94-20-033	275-57-280	NEW-P	94-12-005
275-56-475	REP-P	94-12-005	275-57-040	NEW-P	94-12-005	275-57-280	NEW-S	94-17-118
275-56-475	REP-S	94-17-118	275-57-040	NEW-S	94-17-118	275-57-280	NEW	94-20-033
275-56-475	REP	94-20-033	275-57-040	NEW	94-20-033	275-57-290	NEW-P	94-12-005
275-56-485	REP-P	94-12-005	275-57-050	NEW-P	94-12-005	275-57-290	NEW-S	94-17-118
275-56-485	REP-S	94-17-118	275-57-050	NEW-S	94-17-118	275-57-290	NEW	94-20-033
275-56-485	REP	94-20-033	275-57-050	NEW	94-20-033	275-57-300	NEW-P	94-12-005
275-56-495	REP-P	94-12-005	275-57-060	NEW-P	94-12-005	275-57-300	NEW-S	94-17-118
275-56-495	REP-S	94-17-118	275-57-060	NEW-S	94-17-118	275-57-300	NEW	94-20-033
275-56-495	REP	94-20-033	275-57-060	NEW	94-20-033	275-57-310	NEW-P	94-12-005

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
275-57-310	NEW-S	94-17-118	284-07-110	AMD	94-04-045	284-13-120	REP-W	94-12-077
275-57-310	NEW	94-20-033	284-07-130	AMD	94-04-045	284-13-130	REP-P	94-05-089
275-57-320	NEW-P	94-12-005	284-07-140	AMD	94-04-045	284-13-130	REP-C	94-08-013
275-57-320	NEW-S	94-17-118	284-07-180	AMD	94-04-045	284-13-130	REP-C	94-10-024
275-57-320	NEW	94-20-033	284-07-220	AMD	94-04-045	284-13-130	REP-W	94-12-077
275-57-330	NEW-P	94-12-005	284-07-310	NEW-P	94-23-135	284-13-140	REP-P	94-05-089
275-57-330	NEW-S	94-17-118	284-07-320	NEW-P	94-23-135	284-13-140	REP-C	94-08-013
275-57-330	NEW	94-20-033	284-07-330	NEW-P	94-23-135	284-13-140	REP-C	94-10-024
275-57-340	NEW-P	94-12-005	284-07-340	NEW-P	94-23-135	284-13-140	REP-W	94-12-077
275-57-340	NEW-S	94-17-118	284-07-350	NEW-P	94-23-135	284-13-150	REP-P	94-05-089
275-57-340	NEW	94-20-033	284-07-360	NEW-P	94-23-135	284-13-150	REP-C	94-08-013
275-57-350	NEW-P	94-12-005	284-07-370	NEW-P	94-23-135	284-13-150	REP-C	94-10-024
275-57-350	NEW-S	94-17-118	284-07-380	NEW-P	94-23-135	284-13-150	REP-W	94-12-077
275-57-350	NEW	94-20-033	284-07-390	NEW-P	94-23-135	284-13-800	NEW-P	94-05-089
275-57-360	NEW-P	94-12-005	284-07-400	NEW-P	94-23-135	284-13-800	NEW-C	94-08-013
275-57-360	NEW-S	94-17-118	284-10	NEW-C	94-02-065	284-13-800	NEW-C	94-10-024
275-57-360	NEW	94-20-033	284-10	NEW-C	94-03-048	284-13-800	NEW-W	94-12-077
275-57-370	NEW-P	94-12-005	284-10	NEW-C	94-08-006	284-13-810	NEW-P	94-05-089
275-57-370	NEW-S	94-17-118	284-10-010	NEW-E	94-03-084	284-13-810	NEW-C	94-08-013
275-57-370	NEW	94-20-033	284-10-010	NEW-W	94-03-085	284-13-810	NEW-C	94-10-024
275-57-380	NEW-P	94-12-005	284-10-010	NEW-P	94-04-126	284-13-810	NEW-W	94-12-077
275-57-380	NEW-S	94-17-118	284-10-010	NEW	94-08-060	284-13-820	NEW-P	94-05-089
275-57-380	NEW	94-20-033	284-10-015	NEW-E	94-03-084	284-13-820	NEW-C	94-08-013
275-57-390	NEW-P	94-12-005	284-10-015	NEW-W	94-03-085	284-13-820	NEW-C	94-10-024
275-57-390	NEW-S	94-17-118	284-10-015	NEW-P	94-04-126	284-13-820	NEW-W	94-12-077
275-57-390	NEW	94-20-033	284-10-015	NEW	94-08-060	284-13-830	NEW-P	94-05-089
275-57-400	NEW-P	94-12-005	284-10-020	NEW-E	94-03-084	284-13-830	NEW-C	94-08-013
275-57-400	NEW-S	94-17-118	284-10-020	NEW-W	94-03-085	284-13-830	NEW-C	94-10-024
275-57-400	NEW	94-20-033	284-10-020	NEW-P	94-04-126	284-13-830	NEW-W	94-12-077
275-57-410	NEW-P	94-12-005	284-10-020	NEW	94-08-060	284-17-120	AMD-P	94-11-100
275-57-410	NEW-S	94-17-118	284-10-030	NEW-E	94-03-084	284-17-120	AMD	94-14-033
275-57-410	NEW	94-20-033	284-10-030	NEW-W	94-03-085	284-17-121	AMD-P	94-11-100
275-57-420	NEW-P	94-12-005	284-10-030	NEW-P	94-04-126	284-17-121	AMD	94-14-033
275-57-420	NEW-S	94-17-118	284-10-030	NEW	94-08-060	284-17-220	AMD-P	94-11-100
275-57-420	NEW	94-20-033	284-10-050	NEW-P	94-04-125	284-17-220	AMD	94-14-033
275-57-430	NEW-P	94-12-005	284-10-050	NEW	94-08-081	284-17-250	AMD-P	94-11-100
275-57-430	NEW-S	94-17-118	284-10-050	AMD-P	94-11-082	284-17-250	AMD	94-14-033
275-57-430	NEW	94-20-033	284-10-050	AMD	94-13-216	284-17-260	AMD-P	94-11-100
275-57-440	NEW-P	94-12-005	284-10-060	NEW-E	94-03-084	284-17-260	AMD	94-14-033
275-57-440	NEW-S	94-17-118	284-10-060	NEW-W	94-03-085	284-17-290	AMD-P	94-11-100
275-57-440	NEW	94-20-033	284-10-060	NEW-P	94-04-126	284-17-290	AMD	94-14-033
275-57-450	NEW-P	94-12-005	284-10-060	NEW	94-08-060	284-17-320	AMD-P	94-11-100
275-57-450	NEW-S	94-17-118	284-10-070	NEW-E	94-03-084	284-17-320	AMD	94-14-033
275-57-450	NEW	94-20-033	284-10-070	NEW-W	94-03-085	284-17-400	AMD-P	94-11-100
275-57-460	NEW-P	94-12-005	284-10-070	NEW-P	94-04-126	284-17-400	AMD	94-14-033
275-57-460	NEW-S	94-17-118	284-10-070	NEW	94-08-060	284-17-410	AMD-P	94-11-100
275-57-460	NEW	94-20-033	284-10-080	NEW-W	94-03-085	284-17-410	AMD	94-14-033
275-57-470	NEW-P	94-12-005	284-10-090	NEW-E	94-03-084	284-17-420	AMD-P	94-11-100
275-57-470	NEW-S	94-17-118	284-10-090	NEW-W	94-03-085	284-17-420	AMD	94-14-033
275-57-470	NEW	94-20-033	284-10-090	NEW-P	94-04-126	284-23	NEW-C	94-18-019
275-59-072	NEW-E	94-03-004	284-10-090	NEW	94-08-060	284-23-600	NEW-P	94-15-105
275-59-072	NEW-P	94-03-005	284-10-100	NEW-W	94-03-085	284-23-600	NEW	94-18-029
275-59-072	NEW	94-06-025	284-10-110	NEW-W	94-03-085	284-23-600	PREP	94-18-082
275-156-010	AMD-P	94-07-087	284-10-120	NEW-W	94-03-085	284-23-610	NEW-P	94-15-105
275-156-010	AMD	94-12-006	284-10-130	NEW-W	94-03-085	284-23-610	NEW	94-18-029
275-156-015	AMD-P	94-07-087	284-10-140	NEW-W	94-03-085	284-23-610	PREP	94-18-082
275-156-015	AMD	94-12-006	284-10-150	NEW-W	94-03-085	284-23-620	NEW-P	94-15-105
275-156-020	AMD-P	94-07-087	284-10-160	NEW-W	94-03-085	284-23-620	NEW	94-18-029
275-156-020	AMD	94-12-006	284-10-170	NEW-W	94-03-085	284-23-620	PREP	94-18-082
275-156-025	AMD-P	94-07-087	284-10-180	NEW-W	94-03-085	284-23-630	NEW-P	94-15-105
275-156-025	AMD	94-12-006	284-10-190	NEW-W	94-03-085	284-23-630	NEW	94-18-029
275-156-030	AMD-P	94-07-087	284-10-200	NEW-W	94-03-085	284-23-630	PREP	94-18-082
275-156-030	AMD	94-12-006	284-12-090	AMD-P	94-11-100	284-23-640	NEW-P	94-15-105
284-07-010	AMD-P	94-17-116	284-12-090	AMD	94-14-110	284-23-640	NEW	94-18-029
284-07-010	AMD	94-20-049	284-12-270	AMD-P	94-11-100	284-23-640	PREP	94-18-082
284-07-014	REP-P	94-17-116	284-12-270	AMD	94-14-110	284-23-650	NEW-P	94-15-105
284-07-014	REP	94-20-049	284-13-110	REP-P	94-05-089	284-23-650	NEW	94-18-029
284-07-024	REP-P	94-17-116	284-13-110	REP-C	94-08-013	284-23-650	PREP	94-18-082
284-07-024	REP	94-20-049	284-13-110	REP-C	94-10-024	284-23-650	AMD-P	94-22-082
284-07-026	REP-P	94-17-116	284-13-110	REP-W	94-12-077	284-23-650	AMD	94-24-072
284-07-026	REP	94-20-049	284-13-120	REP-P	94-05-089	284-23-660	NEW-P	94-15-105
284-07-060	AMD	94-04-045	284-13-120	REP-C	94-08-013	284-23-660	NEW	94-18-029
284-07-100	AMD	94-04-045	284-13-120	REP-C	94-10-024	284-23-660	PREP	94-18-082

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
284-23-670	NEW-P	94-15-105	284-51-140	AMD	94-20-068	286-04-060	AMD	94-17-095
284-23-670	NEW	94-18-029	284-51-150	AMD-P	94-11-122	286-04-065	NEW-P	94-13-196
284-23-670	PREP	94-18-082	284-51-150	AMD	94-20-068	286-04-065	NEW	94-17-095
284-23-680	NEW-P	94-15-105	284-51-160	REP-P	94-11-122	286-04-070	AMD-P	94-13-196
284-23-680	NEW	94-18-029	284-51-160	REP	94-20-068	286-04-070	AMD	94-17-095
284-23-680	PREP	94-18-082	284-51-170	AMD-P	94-11-122	286-04-085	NEW-P	94-13-196
284-23-690	NEW-P	94-15-105	284-51-170	AMD	94-20-068	286-04-085	NEW	94-17-095
284-23-690	NEW	94-18-029	284-54	AMD-C	94-13-217	286-04-090	NEW-P	94-13-196
284-23-690	PREP	94-18-082	284-54-020	AMD-P	94-09-050	286-04-090	NEW	94-17-095
284-23-690	AMD-P	94-22-082	284-54-020	AMD-S	94-11-096	286-06-010	REP-P	94-13-196
284-23-690	AMD	94-24-072	284-54-020	AMD	94-14-100	286-06-010	REP	94-17-095
284-23-700	NEW-P	94-15-105	284-54-020	AMD-P	94-23-134	286-06-030	REP-P	94-13-196
284-23-700	NEW	94-18-029	284-54-030	AMD-P	94-23-134	286-06-030	REP	94-17-095
284-23-700	PREP	94-18-082	284-54-040	NEW-P	94-23-134	286-06-040	REP-P	94-13-196
284-23-710	NEW-P	94-15-105	284-54-150	AMD-P	94-09-050	286-06-040	REP	94-17-095
284-23-710	NEW	94-18-029	284-54-150	AMD-S	94-11-096	286-06-050	AMD-P	94-13-196
284-23-710	PREP	94-18-082	284-54-150	AMD	94-14-100	286-06-050	AMD	94-17-095
284-23-720	NEW-P	94-15-105	284-54-170	NEW-P	94-23-134	286-06-060	AMD-P	94-13-196
284-23-720	NEW	94-18-029	284-54-180	NEW-P	94-23-134	286-06-060	AMD	94-17-095
284-23-720	PREP	94-18-082	284-54-190	NEW-P	94-23-134	286-06-065	NEW-P	94-13-196
284-23-730	NEW-P	94-15-105	284-54-200	NEW-P	94-09-050	286-06-065	NEW	94-17-095
284-23-730	NEW	94-18-029	284-54-200	NEW-S	94-11-096	286-06-070	AMD-P	94-13-196
284-23-730	PREP	94-18-082	284-54-200	NEW	94-14-100	286-06-070	AMD	94-17-095
284-24-055	REP-P	94-17-176	284-54-205	NEW-P	94-23-134	286-06-080	AMD-P	94-13-196
284-24-055	REP	94-20-059	284-54-210	NEW-P	94-09-050	286-06-080	AMD	94-17-095
284-24-060	AMD-P	94-17-176	284-54-210	NEW-S	94-11-096	286-06-090	AMD-P	94-13-196
284-24-060	AMD	94-20-059	284-54-210	NEW	94-14-100	286-06-090	AMD	94-17-095
284-30	PREP	94-05-056	284-54-260	NEW-P	94-09-050	286-06-100	AMD-P	94-13-196
284-30-450	PREP	94-05-070	284-54-260	NEW-S	94-11-096	286-06-100	AMD	94-17-095
284-30-450	NEW-P	94-15-104	284-54-260	NEW	94-14-100	286-06-110	AMD-P	94-13-196
284-30-450	NEW-C	94-18-020	284-54-270	NEW-P	94-09-050	286-06-110	AMD	94-17-095
284-30-450	NEW	94-18-038	284-54-270	NEW-S	94-11-096	286-06-120	AMD-P	94-13-196
284-43-040	NEW-P	94-10-077	284-54-270	NEW	94-14-100	286-06-120	AMD	94-17-095
284-43-040	NEW	94-23-056	284-54-270	AMD-P	94-23-134	286-06-130	REP-P	94-13-196
284-44	PREP	94-05-056	284-54-300	AMD-P	94-23-134	286-06-130	REP	94-17-095
284-44-500	NEW-P	94-15-103	284-54-350	AMD-P	94-23-134	286-06-140	REP-P	94-13-196
284-44-500	NEW-C	94-18-018	284-87-030	PREP	94-18-080	286-06-140	REP	94-17-095
284-44-500	NEW-C	94-18-028	284-87-040	AMD-P	94-09-049	286-06-150	REP-P	94-13-196
284-44-500	NEW	94-19-015	284-87-040	AMD	94-13-006	286-06-150	REP	94-17-095
284-46	PREP	94-05-056	284-87-090	AMD-P	94-09-049	286-06-990	REP-P	94-13-196
284-46-500	NEW-P	94-15-103	284-87-090	AMD	94-13-006	286-06-990	REP	94-17-095
284-46-500	NEW-C	94-18-018	284-87-100	AMD-P	94-09-049	286-13-010	NEW-P	94-13-196
284-46-500	NEW-C	94-18-028	284-87-100	AMD	94-13-006	286-13-010	NEW	94-17-095
284-46-500	NEW	94-19-015	284-96-500	NEW-P	94-15-103	286-13-020	NEW-P	94-13-196
284-50-330	AMD-P	94-15-103	284-96-500	NEW-C	94-18-018	286-13-020	NEW	94-17-095
284-50-330	AMD-C	94-18-018	284-96-500	NEW-C	94-18-028	286-13-030	NEW-P	94-13-196
284-50-330	AMD-C	94-18-028	284-96-500	NEW	94-19-015	286-13-030	NEW	94-17-095
284-50-330	AMD	94-19-015	284-97-010	PREP	94-05-071	286-13-040	NEW-P	94-13-196
284-51-010	AMD-P	94-11-122	284-97-020	PREP	94-05-071	286-13-040	NEW	94-17-095
284-51-010	AMD	94-20-068	284-97-030	PREP	94-05-071	286-13-050	NEW-P	94-13-196
284-51-015	NEW-P	94-11-122	284-97-040	PREP	94-05-071	286-13-050	NEW	94-17-095
284-51-015	NEW	94-20-068	284-97-050	PREP	94-05-071	286-13-060	NEW-P	94-13-196
284-51-020	AMD-P	94-11-122	284-97-060	PREP	94-05-071	286-13-060	NEW	94-17-095
284-51-020	AMD	94-20-068	284-97-070	PREP	94-05-071	286-13-070	NEW-P	94-13-196
284-51-030	AMD-P	94-11-122	284-97-080	PREP	94-05-071	286-13-070	NEW	94-17-095
284-51-030	AMD	94-20-068	284-97-100	PREP	94-05-071	286-13-080	NEW-P	94-13-196
284-51-040	AMD-P	94-11-122	284-97-110	PREP	94-05-071	286-13-080	NEW	94-17-095
284-51-040	AMD	94-20-068	284-97-120	PREP	94-05-071	286-13-085	NEW-P	94-13-196
284-51-045	NEW-P	94-11-122	284-97-130	PREP	94-05-071	286-13-085	NEW	94-17-095
284-51-045	NEW	94-20-068	284-97-140	PREP	94-05-071	286-13-090	NEW-P	94-13-196
284-51-050	AMD-P	94-11-122	284-97-150	PREP	94-05-071	286-13-090	NEW	94-17-095
284-51-050	AMD	94-20-068	284-97-160	PREP	94-05-071	286-13-100	NEW-P	94-13-196
284-51-060	AMD-P	94-11-122	286-04-010	AMD-P	94-13-196	286-13-100	NEW	94-17-095
284-51-060	AMD	94-20-068	286-04-010	AMD	94-17-095	286-13-110	NEW-P	94-13-196
284-51-070	REP-P	94-11-122	286-04-015	NEW-P	94-13-196	286-13-110	NEW	94-17-095
284-51-070	REP	94-20-068	286-04-015	NEW	94-17-095	286-13-115	NEW-P	94-13-196
284-51-075	AMD-P	94-11-122	286-04-020	AMD-P	94-13-196	286-13-115	NEW	94-17-095
284-51-075	AMD	94-20-068	286-04-020	AMD	94-17-095	286-13-120	NEW-P	94-13-196
284-51-120	AMD-P	94-11-122	286-04-030	AMD-P	94-13-196	286-13-120	NEW	94-17-095
284-51-120	AMD	94-20-068	286-04-030	AMD	94-17-095	286-16-010	REP-P	94-13-196
284-51-130	AMD-P	94-11-122	286-04-050	AMD-P	94-13-196	286-16-010	REP	94-17-095
284-51-130	AMD	94-20-068	286-04-050	AMD	94-17-095	286-16-020	REP-P	94-13-196
284-51-140	AMD-P	94-11-122	286-04-060	AMD-P	94-13-196	286-16-020	REP	94-17-095

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
286-16-030	REP-P	94-13-196	286-35-040	NEW-P	94-13-196	292-09-100	NEW-P	95-01-099
286-16-030	REP	94-17-095	286-35-040	NEW	94-17-095	292-09-100	NEW-E	95-01-100
286-16-035	REP-P	94-13-196	286-35-050	NEW-P	94-13-196	292-09-110	NEW-P	95-01-099
286-16-035	REP	94-17-095	286-35-050	NEW	94-17-095	292-09-110	NEW-E	95-01-100
286-16-040	REP-P	94-13-196	286-35-060	NEW-P	94-13-196	292-09-120	NEW-P	95-01-099
286-16-040	REP	94-17-095	286-35-060	NEW	94-17-095	292-09-120	NEW-E	95-01-100
286-16-050	REP-P	94-13-196	286-35-070	NEW-P	94-13-196	292-09-130	NEW-P	95-01-099
286-16-050	REP	94-17-095	286-35-070	NEW	94-17-095	292-09-130	NEW-E	95-01-100
286-16-060	REP-P	94-13-196	286-35-080	NEW-P	94-13-196	292-09-140	NEW-P	95-01-099
286-16-060	REP	94-17-095	286-35-080	NEW	94-17-095	292-09-140	NEW-E	95-01-100
286-16-070	REP-P	94-13-196	286-35-090	NEW-P	94-13-196	292-09-150	NEW-P	95-01-099
286-16-070	REP	94-17-095	286-35-090	NEW	94-17-095	292-09-150	NEW-E	95-01-100
286-16-080	REP-P	94-13-196	286-40-010	NEW-P	94-13-196	292-09-160	NEW-P	95-01-099
286-16-080	REP	94-17-095	286-40-010	NEW	94-17-095	292-09-160	NEW-E	95-01-100
286-20-010	REP-P	94-13-196	286-40-020	NEW-P	94-13-196	292-09-170	NEW-P	95-01-099
286-20-010	REP	94-17-095	286-40-020	NEW	94-17-095	292-09-170	NEW-E	95-01-100
286-20-020	REP-P	94-13-196	286-40-030	NEW-P	94-13-196	292-12-010	PREP	94-15-039
286-20-020	REP	94-17-095	286-40-030	NEW	94-17-095	292-12-020	PREP	94-15-039
286-20-040	REP-P	94-13-196	286-40-040	NEW-P	94-13-196	292-12-030	PREP	94-15-039
286-20-040	REP	94-17-095	286-40-040	NEW	94-17-095	292-12-040	PREP	94-15-039
286-20-060	REP-P	94-13-196	286-40-050	NEW-P	94-13-196	292-12-050	PREP	94-15-039
286-20-060	REP	94-17-095	286-40-050	NEW	94-17-095	292-12-060	PREP	94-15-039
286-24-010	REP-P	94-13-196	286-40-060	NEW-P	94-13-196	292-12-070	PREP	94-15-039
286-24-010	REP	94-17-095	286-40-060	NEW	94-17-095	292-12-080	PREP	94-15-039
286-24-015	REP-P	94-13-196	292-06-001	PREP	94-15-039	292-12-090	PREP	94-15-039
286-24-015	REP	94-17-095	292-06-005	PREP	94-15-039	292-12-110	PREP	94-15-039
286-24-020	REP-P	94-13-196	292-06-010	PREP	94-15-039	292-12-120	PREP	94-15-039
286-24-020	REP	94-17-095	292-06-020	PREP	94-15-039	292-12-130	PREP	94-15-039
286-24-040	REP-P	94-13-196	292-06-030	PREP	94-15-039	292-12-140	PREP	94-15-039
286-24-040	REP	94-17-095	292-06-040	PREP	94-15-039	292-12-150	PREP	94-15-039
286-24-050	REP-P	94-13-196	292-06-050	PREP	94-15-039	292-12-160	PREP	94-15-039
286-24-050	REP	94-17-095	292-06-060	PREP	94-15-039	292-12-170	PREP	94-15-039
286-24-060	REP-P	94-13-196	292-06-070	PREP	94-15-039	292-12-180	PREP	94-15-039
286-24-060	REP	94-17-095	292-06-080	PREP	94-15-039	296-04-001	AMD-P	94-24-071
286-24-070	REP-P	94-13-196	292-06-090	PREP	94-15-039	296-04-005	AMD-P	94-24-071
286-24-070	REP	94-17-095	292-06-100	PREP	94-15-039	296-04-010	AMD-P	94-24-071
286-26-010	AMD-P	94-13-196	292-06-110	PREP	94-15-039	296-04-015	AMD-P	94-24-071
286-26-010	AMD	94-17-095	292-06-130	PREP	94-15-039	296-04-040	AMD-P	94-24-071
286-26-020	AMD-P	94-13-196	292-06-140	PREP	94-15-039	296-04-160	AMD-P	94-24-071
286-26-020	AMD	94-17-095	292-06-160	PREP	94-15-039	296-04-165	AMD-P	94-24-071
286-26-030	AMD-P	94-13-196	292-06-170	PREP	94-15-039	296-04-270	AMD-P	94-24-071
286-26-030	AMD	94-17-095	292-06-190	PREP	94-15-039	296-04-320	REP-P	94-24-071
286-26-040	REP-P	94-13-196	292-06-200	PREP	94-15-039	296-04-440	AMD-P	94-24-071
286-26-040	REP	94-17-095	292-06-210	PREP	94-15-039	296-15-020	AMD-C	94-03-006
286-26-055	REP-P	94-13-196	292-06-220	PREP	94-15-039	296-15-020	AMD	94-05-042
286-26-055	REP	94-17-095	292-06-230	PREP	94-15-039	296-15-02601	AMD-P	94-12-096
286-26-060	REP-P	94-13-196	292-06-240	PREP	94-15-039	296-15-02601	AMD	94-17-069
286-26-060	REP	94-17-095	292-06-250	PREP	94-15-039	296-15-02606	NEW-C	94-03-006
286-26-070	REP-P	94-13-196	292-06-270	PREP	94-15-039	296-15-02606	NEW	94-05-042
286-26-070	REP	94-17-095	292-06-280	PREP	94-15-039	296-15-030	AMD-C	94-03-006
286-26-080	NEW-P	94-13-196	292-08-010	PREP	94-15-039	296-15-030	AMD	94-05-042
286-26-080	NEW	94-17-095	292-08-020	PREP	94-15-039	296-15-060	AMD-P	94-12-096
286-26-080	PREP	94-20-020	292-08-030	PREP	94-15-039	296-15-060	AMD	94-17-069
286-26-080	AMD-P	94-20-021	292-08-040	PREP	94-15-039	296-15-070	AMD-P	94-12-096
286-26-080	AMD	94-24-044	292-08-050	PREP	94-15-039	296-15-070	AMD	94-17-069
286-26-090	NEW-P	94-13-196	292-09-010	NEW-P	95-01-099	296-15-072	AMD-P	94-12-096
286-26-090	NEW	94-17-095	292-09-010	NEW-E	95-01-100	296-15-072	AMD	94-17-069
286-26-100	NEW-P	94-13-196	292-09-020	NEW-P	95-01-099	296-15-160	AMD-P	94-12-096
286-26-100	NEW	94-17-095	292-09-020	NEW-E	95-01-100	296-15-160	AMD	94-17-069
286-30-010	NEW-P	94-13-196	292-09-030	NEW-P	95-01-099	296-15-170	AMD-C	94-03-006
286-30-010	NEW	94-17-095	292-09-030	NEW-E	95-01-100	296-15-170	AMD	94-05-042
286-30-020	NEW-P	94-13-196	292-09-040	NEW-P	95-01-099	296-17-320	AMD-P	94-20-123
286-30-020	NEW	94-17-095	292-09-040	NEW-E	95-01-100	296-17-350	AMD-P	94-07-127
286-30-030	NEW-P	94-13-196	292-09-050	NEW-P	95-01-099	296-17-350	AMD	94-12-050
286-30-030	NEW	94-17-095	292-09-050	NEW-E	95-01-100	296-17-350	AMD-P	94-20-123
286-30-040	NEW-P	94-13-196	292-09-060	NEW-P	95-01-099	296-17-35201	NEW-P	94-20-123
286-30-040	NEW	94-17-095	292-09-060	NEW-E	95-01-100	296-17-45004	AMD-P	94-18-127
286-35-010	NEW-P	94-13-196	292-09-070	NEW-P	95-01-099	296-17-45004	AMD	94-24-008
286-35-010	NEW	94-17-095	292-09-070	NEW-E	95-01-100	296-17-45005	NEW-P	94-06-055
286-35-020	NEW-P	94-13-196	292-09-080	NEW-P	95-01-099	296-17-45005	NEW	94-12-051
286-35-020	NEW	94-17-095	292-09-080	NEW-E	95-01-100	296-17-501	AMD-P	94-07-129
286-35-030	NEW-P	94-13-196	292-09-090	NEW-P	95-01-099	296-17-501	AMD	94-12-051
286-35-030	NEW	94-17-095	292-09-090	NEW-E	95-01-100	296-17-506	REP-P	94-07-129

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-17-506	REP	94-12-051	296-20-110	AMD	94-14-044	296-24-010	AMD	94-15-096
296-17-50602	AMD-P	94-07-128	296-20-132	PREP	94-21-046	296-24-012	AMD-P	94-10-010
296-17-50602	AMD	94-12-063	296-20-135	AMD	94-03-008	296-24-012	AMD	94-15-096
296-17-519	AMD-P	94-07-128	296-20-135	PREP	94-21-046	296-24-015	AMD-P	94-10-010
296-17-519	AMD	94-12-063	296-20-135	AMD-P	94-23-142	296-24-015	AMD	94-15-096
296-17-52104	AMD-P	94-07-128	296-20-17003	PREP	94-20-125	296-24-020	AMD-P	94-10-010
296-17-52104	AMD	94-12-063	296-20-370	AMD	94-03-073	296-24-020	AMD-P	94-15-095
296-17-524	AMD-P	94-07-128	296-20-380	AMD	94-03-073	296-24-020	AMD-W	94-16-015
296-17-524	AMD	94-12-063	296-20-385	NEW	94-03-073	296-24-020	AMD	94-20-057
296-17-528	AMD-P	94-07-128	296-20-680	AMD	94-03-073	296-24-040	AMD-P	94-10-010
296-17-528	AMD	94-12-063	296-21-015	REP-P	94-07-126	296-24-040	AMD	94-15-096
296-17-53504	AMD-P	94-07-128	296-21-015	REP	94-14-044	296-24-045	AMD-P	94-10-010
296-17-53504	AMD	94-12-063	296-21-025	REP-P	94-07-126	296-24-045	AMD	94-15-096
296-17-536	AMD-P	94-07-128	296-21-025	REP	94-14-044	296-24-060	AMD-P	94-10-010
296-17-536	AMD	94-12-063	296-21-026	REP-P	94-07-126	296-24-060	AMD	94-15-096
296-17-558	REP-P	94-07-128	296-21-026	REP	94-14-044	296-24-065	AMD-P	94-10-010
296-17-558	REP	94-12-063	296-21-027	REP-P	94-07-126	296-24-065	AMD	94-15-096
296-17-56101	AMD-P	94-07-128	296-21-027	REP	94-14-044	296-24-073	AMD-P	94-10-010
296-17-56101	AMD	94-12-063	296-21-030	REP-P	94-07-126	296-24-073	AMD	94-15-096
296-17-640	AMD-P	94-18-126	296-21-030	REP	94-14-044	296-24-07501	AMD-P	94-15-095
296-17-640	AMD	94-24-007	296-21-085	REP-P	94-07-126	296-24-07501	AMD	94-20-057
296-17-650	AMD-P	94-07-128	296-21-085	REP	94-14-044	296-24-07801	AMD-P	94-15-095
296-17-650	AMD	94-12-063	296-21-240	REP-P	94-07-126	296-24-07801	AMD	94-20-057
296-17-66003	NEW-P	94-06-055	296-21-240	REP	94-14-044	296-24-084	AMD-P	94-15-095
296-17-66003	NEW	94-12-051	296-21-250	REP-P	94-07-126	296-24-084	AMD	94-20-057
296-17-686	AMD-P	94-07-128	296-21-250	REP	94-14-044	296-24-088	AMD-P	94-10-010
296-17-686	AMD	94-12-063	296-21-260	REP-P	94-07-126	296-24-088	AMD-P	94-15-095
296-17-704	AMD-P	94-07-128	296-21-260	REP	94-14-044	296-24-088	AMD	94-15-096
296-17-704	AMD	94-12-063	296-21-270	REP-P	94-07-126	296-24-088	AMD	94-20-057
296-17-706	AMD-P	94-07-128	296-21-270	REP-W	94-20-095	296-24-090	NEW-P	94-15-095
296-17-706	AMD	94-12-063	296-21-280	REP-P	94-07-126	296-24-090	NEW	94-20-057
296-17-727	AMD-P	94-18-126	296-21-280	REP-W	94-20-095	296-24-092	AMD-P	94-15-095
296-17-727	AMD	94-24-007	296-21-290	REP-P	94-07-126	296-24-092	AMD	94-20-057
296-17-73111	NEW-P	94-18-126	296-21-290	REP-W	94-20-095	296-24-096	NEW-P	94-15-095
296-17-73111	NEW	94-24-007	296-21-300	REP-P	94-07-126	296-24-096	NEW	94-20-057
296-17-779	AMD-P	94-07-128	296-21-300	REP	94-14-044	296-24-098	NEW-P	94-15-095
296-17-779	AMD	94-12-063	296-21-310	REP-P	94-07-126	296-24-098	NEW	94-20-057
296-17-855	AMD-P	94-18-126	296-21-310	REP	94-14-044	296-24-1001	AMD	94-06-068
296-17-855	AMD	94-24-007	296-21-320	REP-P	94-07-126	296-24-12001	AMD	94-06-068
296-17-875	AMD-P	94-18-126	296-21-320	REP	94-14-044	296-24-12511	AMD-P	94-10-010
296-17-875	AMD	94-24-007	296-23-135	AMD-P	94-07-126	296-24-12511	AMD	94-15-096
296-17-880	AMD-P	94-18-126	296-23-135	AMD	94-14-044	296-24-14009	AMD-P	94-10-010
296-17-880	AMD	94-24-007	296-23-150	REP-P	94-07-126	296-24-14009	AMD	94-15-096
296-17-885	AMD-P	94-18-126	296-23-150	REP	94-14-044	296-24-14011	AMD	94-06-068
296-17-885	AMD	94-24-007	296-23-155	AMD-P	94-07-126	296-24-14011	AMD-P	94-10-010
296-17-890	AMD-P	94-18-126	296-23-155	AMD	94-14-044	296-24-14011	AMD	94-15-096
296-17-890	AMD	94-24-007	296-23-220	REP-P	94-07-126	296-24-14507	AMD-P	94-10-010
296-17-895	AMD-P	94-06-055	296-23-220	REP-W	94-20-095	296-24-14507	AMD	94-15-096
296-17-895	AMD	94-12-051	296-23-220	PREP	94-21-046	296-24-14509	AMD-P	94-10-010
296-17-895	AMD-P	94-18-126	296-23-220	AMD-P	94-23-142	296-24-14509	AMD	94-15-096
296-17-895	AMD	94-24-007	296-23-225	REP-P	94-07-126	296-24-14513	AMD-P	94-10-010
296-17-904	AMD-P	95-01-116	296-23-225	REP-W	94-20-095	296-24-14513	AMD	94-15-096
296-17-913	AMD-P	95-01-116	296-23-230	REP-P	94-07-126	296-24-14515	AMD-P	94-10-010
296-17-914	AMD-P	95-01-116	296-23-230	REP-W	94-20-095	296-24-14515	AMD	94-15-096
296-17-915	AMD-P	95-01-116	296-23-230	PREP	94-21-046	296-24-14519	AMD-P	94-10-010
296-17-919	AMD-P	94-18-126	296-23-230	AMD-P	94-23-142	296-24-14519	AMD	94-15-096
296-17-919	AMD	94-24-007	296-23-235	REP-P	94-07-126	296-24-15001	AMD-P	94-10-010
296-17-919	AMD-P	95-01-116	296-23-235	REP-W	94-20-095	296-24-15001	AMD	94-15-096
296-17-91901	AMD-P	95-01-116	296-23-265	PREP	94-20-122	296-24-15005	AMD-P	94-10-010
296-17-91902	AMD-P	95-01-116	296-23-265	AMD-P	94-22-084	296-24-15005	AMD	94-15-096
296-17-91903	AMD-P	95-01-116	296-23A-400	AMD-P	94-07-126	296-24-16505	AMD-P	94-10-010
296-17-91904	AMD-P	95-01-116	296-23A-400	AMD-W	94-20-095	296-24-16505	AMD	94-15-096
296-17-91905	AMD-P	95-01-116	296-23A-400	PREP	94-21-046	296-24-16539	AMD-P	94-10-010
296-17-920	AMD-P	94-18-126	296-23A-400	AMD-P	94-23-142	296-24-16539	AMD	94-15-096
296-17-920	AMD	94-24-007	296-24	PREP	94-15-093	296-24-19501	AMD-P	94-10-010
296-17-925	NEW-P	94-18-126	296-24	PREP	94-17-195	296-24-19501	AMD	94-15-096
296-17-925	NEW	94-24-007	296-24-001	AMD-P	94-10-010	296-24-19507	AMD-P	94-10-010
296-20-010	AMD-P	94-07-126	296-24-001	AMD	94-15-096	296-24-19507	AMD	94-15-096
296-20-010	AMD	94-14-044	296-24-006	AMD-P	94-10-010	296-24-19513	AMD-P	94-10-010
296-20-01002	PREP	94-20-125	296-24-006	AMD	94-15-096	296-24-19513	AMD	94-15-096
296-20-01505	NEW-P	94-07-126	296-24-007	AMD-P	94-15-095	296-24-19517	AMD-P	94-10-010
296-20-01505	NEW	94-14-044	296-24-007	AMD	94-20-057	296-24-19517	AMD	94-15-096
296-20-110	AMD-P	94-07-126	296-24-010	AMD-P	94-10-010	296-24-20003	AMD-P	94-10-010

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
296-24-20003	AMD	94-15-096	296-24-58517	AMD-P	94-10-010	296-24-82513	AMD-P	94-10-010
296-24-20511	AMD-P	94-10-010	296-24-58517	AMD	94-15-096	296-24-82513	AMD	94-15-096
296-24-20511	AMD	94-15-096	296-24-59215	AMD-P	94-10-010	296-24-82515	AMD-P	94-10-010
296-24-20525	AMD-P	94-10-010	296-24-59215	AMD	94-15-096	296-24-82515	AMD	94-15-096
296-24-20525	AMD	94-15-096	296-24-63299	AMD-P	94-10-010	296-24-82519	AMD-P	94-10-010
296-24-21515	AMD-P	94-10-010	296-24-63299	AMD	94-15-096	296-24-82519	AMD	94-15-096
296-24-21515	AMD	94-15-096	296-24-63399	AMD-P	94-10-010	296-24-82521	AMD-P	94-10-010
296-24-21705	AMD-P	94-10-010	296-24-63399	AMD	94-15-096	296-24-82521	AMD	94-15-096
296-24-21705	AMD	94-15-096	296-24-63499	AMD-P	94-10-010	296-24-82529	AMD-P	94-10-010
296-24-21711	AMD-P	94-10-010	296-24-63499	AMD	94-15-096	296-24-82529	AMD	94-15-096
296-24-21711	AMD	94-15-096	296-24-65501	AMD-P	94-10-010	296-24-82537	AMD-P	94-10-010
296-24-233	AMD-P	94-10-010	296-24-65501	AMD	94-15-096	296-24-82537	AMD	94-15-096
296-24-233	AMD	94-15-096	296-24-66305	AMD-P	94-10-010	296-24-82543	AMD-P	94-10-010
296-24-23503	AMD-P	94-10-010	296-24-66305	AMD	94-15-096	296-24-82543	AMD	94-15-096
296-24-23503	AMD	94-15-096	296-24-66319	AMD-P	94-10-010	296-24-84001	AMD-P	94-10-010
296-24-23505	AMD-P	94-10-010	296-24-66319	AMD	94-15-096	296-24-84001	AMD	94-15-096
296-24-23505	AMD	94-15-096	296-24-66321	AMD-P	94-10-010	296-24-84005	AMD-P	94-10-010
296-24-23507	AMD-P	94-10-010	296-24-66321	AMD	94-15-096	296-24-84005	AMD	94-15-096
296-24-23507	AMD	94-15-096	296-24-67005	AMD-P	94-10-010	296-24-84007	AMD-P	94-10-010
296-24-23523	AMD-P	94-10-010	296-24-67005	AMD	94-15-096	296-24-84007	AMD	94-15-096
296-24-23523	AMD	94-15-096	296-24-67507	AMD-P	94-10-010	296-24-84009	AMD-P	94-10-010
296-24-23527	AMD-P	94-10-010	296-24-67507	AMD	94-15-096	296-24-84009	AMD	94-15-096
296-24-23527	AMD	94-15-096	296-24-67515	AMD-P	94-10-010	296-24-85505	AMD-P	94-10-010
296-24-23529	AMD-P	94-10-010	296-24-67515	AMD	94-15-096	296-24-85505	AMD	94-15-096
296-24-23529	AMD	94-15-096	296-24-68201	AMD-P	94-10-010	296-24-87001	AMD-P	94-10-010
296-24-24005	AMD-P	94-10-010	296-24-68201	AMD	94-15-096	296-24-87001	AMD	94-15-096
296-24-24005	AMD	94-15-096	296-24-68501	AMD-P	94-10-010	296-24-87013	AMD-P	94-10-010
296-24-24009	AMD-P	94-10-010	296-24-68501	AMD	94-15-096	296-24-87013	AMD	94-15-096
296-24-24009	AMD	94-15-096	296-24-68507	AMD-P	94-10-010	296-24-87015	AMD-P	94-10-010
296-24-24015	AMD-P	94-10-010	296-24-68507	AMD	94-15-096	296-24-87015	AMD	94-15-096
296-24-24015	AMD	94-15-096	296-24-69001	AMD-P	94-10-010	296-24-87031	AMD-P	94-10-010
296-24-24503	AMD-P	94-10-010	296-24-69001	AMD	94-15-096	296-24-87031	AMD	94-15-096
296-24-24503	AMD	94-15-096	296-24-69011	AMD-P	94-10-010	296-24-88501	AMD-P	94-10-010
296-24-24517	AMD-P	94-10-010	296-24-69011	AMD	94-15-096	296-24-88501	AMD	94-15-096
296-24-24517	AMD	94-15-096	296-24-69503	AMD-P	94-10-010	296-24-88505	AMD-P	94-10-010
296-24-260	AMD-P	94-10-010	296-24-69503	AMD	94-15-096	296-24-88505	AMD	94-15-096
296-24-260	AMD	94-15-096	296-24-70005	AMD-P	94-15-095	296-24-90001	AMD-P	94-10-010
296-24-29401	AMD-P	94-10-010	296-24-70005	AMD	94-20-057	296-24-90001	AMD	94-15-096
296-24-29401	AMD	94-15-096	296-24-70007	AMD-P	94-10-010	296-24-90005	AMD-P	94-10-010
296-24-29501	AMD-P	94-10-010	296-24-70007	AMD	94-15-096	296-24-90005	AMD	94-15-096
296-24-29501	AMD	94-15-096	296-24-71503	AMD-P	94-10-010	296-24-90009	AMD-P	94-10-010
296-24-31501	AMD-P	94-10-010	296-24-71503	AMD	94-15-096	296-24-90009	AMD	94-15-096
296-24-31501	AMD	94-15-096	296-24-71507	AMD-P	94-10-010	296-24-92003	AMD-P	94-10-010
296-24-32001	AMD-P	94-10-010	296-24-71507	AMD	94-15-096	296-24-92003	AMD	94-15-096
296-24-32001	AMD	94-15-096	296-24-71513	AMD-P	94-10-010	296-24-93503	AMD-P	94-10-010
296-24-33003	AMD	94-06-068	296-24-71513	AMD	94-15-096	296-24-93503	AMD	94-15-096
296-24-33005	AMD-P	94-10-010	296-24-71517	AMD-P	94-10-010	296-24-94001	AMD-P	94-10-010
296-24-33005	AMD	94-15-096	296-24-71517	AMD	94-15-096	296-24-94001	AMD	94-15-096
296-24-33009	AMD-P	94-10-010	296-24-71519	AMD-P	94-10-010	296-24-95601	AMD-P	94-10-010
296-24-33009	AMD	94-15-096	296-24-71519	AMD	94-15-096	296-24-95601	AMD	94-15-096
296-24-33011	AMD-P	94-10-010	296-24-73501	AMD	94-06-068	296-24-95605	AMD-P	94-10-010
296-24-33011	AMD	94-15-096	296-24-73505	AMD-P	94-10-010	296-24-95605	AMD	94-15-096
296-24-33013	AMD-P	94-10-010	296-24-73505	AMD	94-15-096	296-24-95609	AMD-P	94-10-010
296-24-33013	AMD	94-15-096	296-24-73509	AMD-P	94-10-010	296-24-95609	AMD	94-15-096
296-24-47507	AMD-P	94-10-010	296-24-73509	AMD	94-15-096	296-24-95613	AMD-P	94-10-010
296-24-47507	AMD	94-15-096	296-24-75001	AMD-P	94-10-010	296-24-95613	AMD	94-15-096
296-24-47515	AMD-P	94-10-010	296-24-75001	AMD	94-15-096	296-24-960	AMD-P	94-10-010
296-24-47515	AMD	94-15-096	296-24-78009	AMD-P	94-10-010	296-24-960	AMD	94-15-096
296-24-51005	AMD-P	94-10-010	296-24-78009	AMD	94-15-096	296-24-975	AMD-P	94-10-010
296-24-51005	AMD	94-15-096	296-24-79505	AMD-P	94-10-010	296-24-975	AMD	94-15-096
296-24-51099	AMD-P	94-10-010	296-24-79505	AMD	94-15-096	296-27-050	AMD-P	94-10-010
296-24-51099	AMD	94-15-096	296-24-79507	AMD-P	94-10-010	296-27-050	AMD	94-15-096
296-24-55001	AMD-P	94-10-010	296-24-79507	AMD	94-15-096	296-27-060	AMD-P	94-10-010
296-24-55001	AMD	94-15-096	296-24-81001	AMD-P	94-10-010	296-27-060	AMD	94-15-096
296-24-56515	AMD-P	94-10-010	296-24-81001	AMD	94-15-096	296-27-070	AMD-P	94-10-010
296-24-56515	AMD	94-15-096	296-24-81009	AMD-P	94-10-010	296-27-070	AMD	94-15-096
296-24-58501	AMD-P	94-10-010	296-24-81009	AMD	94-15-096	296-27-078	AMD-P	94-10-010
296-24-58501	AMD	94-15-096	296-24-81013	AMD-P	94-10-010	296-27-078	AMD	94-15-096
296-24-58503	AMD	94-06-068	296-24-81013	AMD	94-15-096	296-27-080	AMD-P	94-10-010
296-24-58513	AMD-P	94-10-010	296-24-82501	AMD-P	94-10-010	296-27-080	AMD	94-15-096
296-24-58513	AMD	94-15-096	296-24-82501	AMD	94-15-096	296-27-090	AMD-P	94-10-010
296-24-58515	AMD-P	94-10-010	296-24-82503	AMD-P	94-10-010	296-27-090	AMD-P	94-15-095
296-24-58515	AMD	94-15-096	296-24-82503	AMD	94-15-096	296-27-090	AMD-W	94-16-015

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
296-27-090	AMD	94-20-057	296-45-65029	AMD-P	94-15-095	296-52-493	AMD-P	94-17-164
296-27-110	AMD-P	94-10-010	296-45-65029	AMD	94-20-057	296-52-497	AMD-P	94-17-164
296-27-110	AMD	94-15-096	296-45-65033	AMD-P	94-15-095	296-52-501	AMD-P	94-17-164
296-27-120	AMD-P	94-10-010	296-45-65033	AMD	94-20-057	296-52-509	AMD-P	94-17-164
296-27-120	AMD	94-15-096	296-45-65035	AMD-P	94-15-095	296-52-550	NEW-P	94-17-164
296-27-140	AMD-P	94-10-010	296-45-65035	AMD	94-20-057	296-52-552	NEW-P	94-17-164
296-27-140	AMD	94-15-096	296-45-65037	AMD-P	94-15-095	296-52-555	NEW-P	94-17-164
296-27-15501	AMD-P	94-10-010	296-45-65037	AMD	94-20-057	296-54	PREP	94-23-143
296-27-15501	AMD	94-15-096	296-45-65038	AMD-P	94-15-095	296-54-507	AMD-P	94-11-124
296-27-15503	AMD-P	94-10-010	296-45-65038	AMD	94-20-057	296-54-507	AMD	94-16-145
296-27-15503	AMD	94-15-096	296-45-65039	AMD-P	94-15-095	296-54-511	AMD-P	94-15-095
296-27-15505	AMD-P	94-10-010	296-45-65039	AMD	94-20-057	296-54-511	AMD	94-20-057
296-27-15505	AMD	94-15-096	296-45-65041	AMD-P	94-15-095	296-56-60001	AMD-P	94-17-164
296-27-16020	AMD-P	94-10-010	296-45-65041	AMD	94-20-057	296-56-60003	AMD-P	94-17-164
296-27-16020	AMD	94-15-096	296-45-65045	AMD-P	94-15-095	296-56-60005	AMD-P	94-17-164
296-30-025	AMD-E	95-01-048	296-45-65045	AMD	94-20-057	296-56-60009	AMD-P	94-17-164
296-32-210	AMD-P	94-10-010	296-45-65047	AMD-P	94-15-095	296-56-60062	AMD-P	94-17-164
296-32-210	AMD	94-15-096	296-45-65047	AMD	94-20-057	296-56-60073	AMD-P	94-17-164
296-32-220	AMD-P	94-10-010	296-45-66001	AMD-P	94-15-095	296-56-60083	AMD-P	94-17-164
296-32-220	AMD	94-15-096	296-45-66001	AMD	94-20-057	296-56-60093	AMD-P	94-17-164
296-32-230	AMD-P	94-10-010	296-45-66005	AMD-P	94-15-095	296-56-60095	AMD-P	94-17-164
296-32-230	AMD	94-15-096	296-45-66005	AMD	94-20-057	296-56-60097	AMD-P	94-17-164
296-32-250	AMD-P	94-15-095	296-45-66007	AMD-P	94-15-095	296-56-60098	AMD-P	94-17-164
296-32-250	AMD	94-20-057	296-45-66007	AMD	94-20-057	296-56-60235	AMD-P	94-17-164
296-32-260	AMD-P	94-15-095	296-45-66009	AMD-P	94-15-095	296-59-005	AMD-P	94-11-124
296-32-260	AMD-W	94-20-056	296-45-66009	AMD	94-20-057	296-59-005	AMD	94-16-145
296-32-270	AMD-P	94-10-010	296-45-66011	AMD-P	94-15-095	296-59-060	AMD-P	94-17-164
296-32-270	AMD	94-15-096	296-45-66011	AMD	94-20-057	296-62	PREP	94-20-124
296-32-280	AMD-P	94-10-010	296-45-67503	AMD-P	94-15-095	296-62-020	AMD-P	94-10-010
296-32-280	AMD	94-15-096	296-45-67503	AMD	94-20-057	296-62-020	AMD	94-15-096
296-32-290	AMD-P	94-10-010	296-45-67505	AMD-P	94-15-095	296-62-05403	AMD-P	94-11-124
296-32-290	AMD	94-15-096	296-45-67505	AMD	94-20-057	296-62-05403	AMD	94-16-145
296-32-300	AMD-P	94-10-010	296-45-67507	AMD-P	94-15-095	296-62-05405	AMD-P	94-11-124
296-32-300	AMD	94-15-096	296-45-67507	AMD	94-20-057	296-62-05405	AMD	94-16-145
296-32-320	AMD-P	94-10-010	296-45-67521	AMD-P	94-15-095	296-62-05407	AMD-P	94-11-124
296-32-320	AMD	94-15-096	296-45-67521	AMD	94-20-057	296-62-05407	AMD	94-16-145
296-32-360	AMD-P	94-10-010	296-45-67527	AMD-P	94-15-095	296-62-05409	AMD-P	94-11-124
296-32-360	AMD	94-15-096	296-45-67527	AMD	94-20-057	296-62-05409	AMD	94-16-145
296-37-510	AMD-P	94-10-010	296-45-67531	AMD-P	94-15-095	296-62-05409	AMD	94-16-145
296-37-510	AMD	94-15-096	296-45-67531	AMD	94-20-057	296-62-05411	AMD-P	94-11-124
296-37-512	AMD-P	94-10-010	296-45-67535	AMD-P	94-15-095	296-62-05411	AMD	94-16-145
296-37-512	AMD	94-15-096	296-45-67535	AMD	94-20-057	296-62-05411	AMD-P	94-22-086
296-37-575	AMD-P	94-10-010	296-45-67543	AMD-P	94-15-095	296-62-05413	AMD-P	94-11-124
296-37-575	AMD	94-15-096	296-45-67543	AMD	94-20-057	296-62-05413	AMD	94-16-145
296-45	PREP	94-15-091	296-45-680	NEW-P	94-15-095	296-62-05415	AMD-P	94-11-124
296-45-650	AMD-P	94-15-095	296-45-680	NEW	94-20-057	296-62-05415	AMD	94-16-145
296-45-65003	AMD	94-20-057	296-45-690	NEW-P	94-15-095	296-62-05417	AMD-P	94-11-124
296-45-65003	AMD	94-15-095	296-45-690	NEW	94-20-057	296-62-05419	AMD-P	94-16-145
296-45-65005	AMD-P	94-15-095	296-45-695	NEW-P	94-15-095	296-62-05419	AMD	94-16-145
296-45-65005	AMD	94-20-057	296-45-695	NEW	94-20-057	296-62-05421	AMD-P	94-11-124
296-45-65009	AMD-P	94-11-124	296-45-700	NEW-P	94-15-095	296-62-05421	AMD	94-16-145
296-45-65009	AMD-P	94-15-095	296-45-700	NEW	94-20-057	296-62-05423	AMD-P	94-11-124
296-45-65009	AMD-W	94-16-144	296-52	PREP	94-15-089	296-62-05423	AMD	94-16-145
296-45-65009	AMD	94-20-057	296-52-401	AMD-P	94-17-164	296-62-05425	AMD-P	94-11-124
296-45-65011	AMD-P	94-15-095	296-52-409	AMD-P	94-17-164	296-62-05425	AMD	94-16-145
296-45-65011	AMD	94-20-057	296-52-413	AMD-P	94-17-164	296-62-05427	AMD-P	94-11-124
296-45-65013	AMD	94-15-095	296-52-417	AMD-P	94-17-164	296-62-05427	AMD	94-16-145
296-45-65015	AMD-P	94-15-095	296-52-419	AMD-P	94-17-164	296-62-05429	NEW-P	94-11-124
296-45-65015	AMD	94-20-057	296-52-421	AMD-P	94-17-164	296-62-05429	NEW	94-16-145
296-45-65015	AMD-P	94-15-095	296-52-423	AMD-P	94-17-164	296-62-07105	AMD-P	94-10-010
296-45-65015	AMD	94-20-057	296-52-425	AMD-P	94-17-164	296-62-07105	AMD	94-15-096
296-45-65017	AMD-P	94-15-095	296-52-429	AMD-P	94-17-164	296-62-07105	AMD-P	94-17-164
296-45-65019	AMD	94-20-057	296-52-433	AMD-P	94-17-164	296-62-07302	AMD-P	94-10-010
296-45-65019	AMD-P	94-15-095	296-52-437	AMD-P	94-17-164	296-62-07302	AMD	94-15-096
296-45-65019	AMD	94-20-057	296-52-441	AMD-P	94-17-164	296-62-07329	AMD-P	94-10-010
296-45-65021	AMD-P	94-15-095	296-52-449	AMD-P	94-17-164	296-62-07329	AMD	94-15-096
296-45-65021	AMD	94-20-057	296-52-461	AMD-P	94-17-164	296-62-07337	AMD-P	94-10-010
296-45-65023	AMD-P	94-15-095	296-52-465	AMD-P	94-17-164	296-62-07337	AMD	94-15-096
296-45-65023	AMD	94-20-057	296-52-469	AMD-P	94-17-164	296-62-07343	AMD-P	94-10-010
296-45-65026	AMD-P	94-15-095	296-52-477	AMD-P	94-17-164	296-62-07343	AMD	94-15-096
296-45-65026	AMD	94-20-057	296-52-481	AMD-P	94-17-164	296-62-07347	AMD-P	94-10-010
296-45-65027	AMD-P	94-15-095	296-52-487	AMD-P	94-17-164	296-62-07347	AMD	94-15-096
296-45-65027	AMD	94-20-057	296-52-489	AMD-P	94-17-164	296-62-07367	AMD-P	94-15-095

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
296-62-07367	AMD	94-20-057	296-62-3195	NEW-P	94-22-086	296-155-010	AMD	94-15-096
296-62-07417	AMD-P	94-15-095	296-62-40015	AMD-P	94-10-010	296-155-012	AMD-P	94-10-010
296-62-07417	AMD	94-20-057	296-62-40015	AMD	94-15-096	296-155-012	AMD-W	94-16-015
296-62-07441	AMD-P	94-10-010	296-62-40025	AMD-P	94-10-010	296-155-012	AMD-P	94-17-164
296-62-07441	AMD	94-15-096	296-62-40025	AMD	94-15-096	296-155-015	AMD-P	94-10-010
296-62-07521	AMD-P	94-15-094	296-78-515	AMD-P	94-15-095	296-155-015	AMD	94-15-096
296-62-07533	AMD-P	94-10-010	296-78-515	AMD	94-20-057	296-155-040	AMD-P	94-10-010
296-62-07533	AMD	94-15-096	296-78-525	AMD-P	94-15-095	296-155-040	AMD	94-15-096
296-62-07540	AMD-P	94-10-010	296-78-525	AMD	94-20-057	296-155-100	AMD-P	94-10-010
296-62-07540	AMD	94-15-096	296-78-670	AMD-P	94-15-095	296-155-100	AMD	94-15-096
296-62-07542	AMD-P	94-10-010	296-78-670	AMD	94-20-057	296-155-100	AMD-P	94-17-164
296-62-07542	AMD	94-15-096	296-78-71015	AMD-P	94-15-095	296-155-110	AMD-P	94-10-010
296-62-07617	AMD-P	94-15-095	296-78-71015	AMD	94-20-057	296-155-110	AMD	94-15-096
296-62-07617	AMD	94-20-057	296-78-84005	AMD-P	94-15-095	296-155-120	AMD-P	94-10-010
296-62-07706	AMD-P	94-11-124	296-78-84005	AMD	94-20-057	296-155-120	AMD	94-15-096
296-62-07706	AMD	94-16-145	296-79-050	AMD-P	94-15-095	296-155-125	AMD-P	94-10-010
296-62-07711	AMD-P	94-17-164	296-79-050	AMD	94-20-057	296-155-125	AMD	94-15-096
296-62-07717	AMD-P	94-10-010	296-81	PREP	94-20-120	296-155-140	AMD-P	94-10-010
296-62-07717	AMD	94-15-096	296-81-007	AMD-P	94-22-085	296-155-140	AMD	94-15-096
296-62-07749	AMD-P	94-10-010	296-81-306	NEW-P	94-22-085	296-155-150	AMD-P	94-10-010
296-62-07749	AMD	94-15-096	296-81-350	AMD-P	94-22-085	296-155-150	AMD	94-15-096
296-62-07751	AMD-P	94-10-010	296-86	PREP	94-20-120	296-155-160	AMD-P	94-10-010
296-62-07751	AMD	94-15-096	296-86-060	AMD-P	94-22-085	296-155-160	AMD	94-15-096
296-62-11001	AMD-P	94-17-164	296-95	PREP	94-20-120	296-155-174	AMD-P	94-10-010
296-62-12000	NEW	94-07-086	296-95-130	AMD-P	94-22-085	296-155-174	AMD	94-15-096
296-62-12000	REVIEW	94-14-103	296-95-272	AMD-P	94-22-085	296-155-17621	AMD-P	94-15-094
296-62-12001	NEW-W	94-07-085	296-95-318	AMD-P	94-22-085	296-155-17623	AMD-P	94-15-094
296-62-12003	NEW	94-07-086	296-104-010	PREP	94-16-037	296-155-17652	AMD-P	94-15-094
296-62-12003	REVIEW	94-14-103	296-104-010	AMD-P	94-17-170	296-155-17654	AMD-P	94-15-094
296-62-12005	NEW	94-07-086	296-104-010	AMD	94-21-002	296-155-180	AMD-P	94-11-124
296-62-12005	REVIEW	94-14-103	296-104-050	PREP	94-16-037	296-155-180	AMD	94-16-145
296-62-12007	NEW	94-07-086	296-104-050	AMD-P	94-17-170	296-155-200	AMD-P	94-10-010
296-62-12007	REVIEW	94-14-103	296-104-050	AMD	94-21-002	296-155-200	AMD	94-15-096
296-62-12009	NEW	94-07-086	296-104-060	PREP	94-16-037	296-155-203	AMD-P	94-10-010
296-62-12009	REVIEW	94-14-103	296-104-060	AMD-P	94-17-170	296-155-203	AMD	94-15-096
296-62-12011	NEW-W	94-07-085	296-104-060	AMD	94-21-002	296-155-20301	AMD-P	94-10-010
296-62-12013	NEW-W	94-07-085	296-104-065	PREP	94-16-037	296-155-20301	AMD-W	94-16-015
296-62-12015	NEW-W	94-07-085	296-104-065	AMD-P	94-17-170	296-155-20301	AMD-P	94-17-164
296-62-12017	NEW-W	94-07-085	296-104-065	AMD	94-21-002	296-155-20307	AMD-P	94-10-010
296-62-12019	NEW-W	94-07-085	296-104-100	PREP	94-16-037	296-155-20307	AMD	94-15-096
296-62-12021	NEW-W	94-07-085	296-104-100	AMD-P	94-17-170	296-155-212	AMD-P	94-10-010
296-62-12023	NEW-W	94-07-085	296-104-100	AMD	94-21-002	296-155-212	AMD	94-15-096
296-62-145	AMD-P	94-17-164	296-104-102	PREP	94-16-037	296-155-215	AMD-P	94-10-010
296-62-14500	NEW-P	94-17-164	296-104-102	NEW-P	94-17-170	296-155-215	AMD	94-15-096
296-62-14501	AMD-P	94-17-164	296-104-102	NEW	94-21-002	296-155-235	AMD-P	94-10-010
296-62-14503	AMD-P	94-17-164	296-104-281	NEW-E	94-04-006	296-155-235	AMD	94-15-096
296-62-14505	AMD-P	94-17-164	296-104-281	NEW-P	94-05-072	296-155-24510	AMD-P	94-10-010
296-62-14507	AMD-P	94-17-164	296-104-281	NEW-W	94-18-102	296-155-24510	AMD-W	94-16-015
296-62-14509	AMD-P	94-17-164	296-104-411	PREP	94-16-037	296-155-24510	AMD-P	94-17-164
296-62-14511	AMD-P	94-17-164	296-104-411	NEW-P	94-17-170	296-155-260	AMD-P	94-10-010
296-62-14513	AMD-P	94-17-164	296-104-500	PREP	94-16-037	296-155-260	AMD	94-15-096
296-62-14515	AMD-P	94-17-164	296-104-500	REP-P	94-17-170	296-155-280	AMD-P	94-10-010
296-62-14517	AMD-P	94-17-164	296-104-500	REP	94-21-002	296-155-280	AMD	94-15-096
296-62-14519	AMD-P	94-17-164	296-104-501	PREP	94-16-037	296-155-315	AMD-P	94-10-010
296-62-14520	NEW-P	94-17-164	296-104-501	REP-P	94-17-170	296-155-315	AMD	94-15-096
296-62-14521	AMD-P	94-17-164	296-104-501	REP	94-21-002	296-155-325	AMD-P	94-10-010
296-62-14523	AMD-P	94-17-164	296-104-502	NEW	94-21-002	296-155-325	AMD	94-15-096
296-62-14525	AMD-P	94-17-164	296-104-505	PREP	94-16-037	296-155-330	AMD-P	94-10-010
296-62-14527	AMD-P	94-17-164	296-104-505	REP-P	94-17-170	296-155-330	AMD	94-15-096
296-62-14529	AMD-P	94-17-164	296-104-505	REP	94-21-002	296-155-34920	AMD-P	94-10-010
296-62-300	AMD-P	94-10-010	296-115-015	AMD-P	94-17-164	296-155-34920	AMD	94-15-096
296-62-300	AMD	94-15-096	296-116-185	RESCIND	94-05-005	296-155-360	AMD-P	94-10-010
296-62-3010	AMD-P	94-17-164	296-116-185	AMD	94-05-006	296-155-360	AMD	94-15-096
296-62-3020	AMD-P	94-11-124	296-116-300	AMD-P	94-08-056	296-155-36305	AMD-P	94-10-010
296-62-3020	AMD	94-16-145	296-116-300	AMD	94-12-044	296-155-36305	AMD	94-15-096
296-62-3040	AMD-P	94-17-164	296-116-500	NEW-P	94-04-119	296-155-36319	AMD-P	94-10-010
296-62-3060	AMD-P	94-10-010	296-116-500	NEW	94-07-079	296-155-36319	AMD	94-15-096
296-62-3060	AMD	94-15-096	296-155	PREP	94-20-119	296-155-36321	AMD-P	94-10-010
296-62-3120	AMD-P	94-10-010	296-155-001	AMD-P	94-10-010	296-155-36321	AMD	94-15-096
296-62-3120	AMD	94-15-096	296-155-001	AMD	94-15-096	296-155-365	AMD-P	94-10-010
296-62-3140	AMD-P	94-11-124	296-155-006	AMD-P	94-10-010	296-155-365	AMD	94-15-096
296-62-3140	AMD	94-16-145	296-155-006	AMD	94-15-096	296-155-375	AMD-P	94-10-010
296-62-3170	AMD-P	94-22-086	296-155-010	AMD-P	94-10-010	296-155-375	AMD	94-15-096

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-155-380	NEW-P	94-10-010	296-155-74501	AMD	94-15-096	296-306-075	AMD	94-18-067
296-155-380	NEW	94-15-096	296-155-775	AMD-P	94-10-010	296-306-07501	NEW-P	94-12-095
296-155-400	AMD-P	94-10-010	296-155-775	AMD	94-15-096	296-306-07501	NEW	94-18-067
296-155-400	AMD	94-15-096	296-155-785	AMD-P	94-10-010	296-306-07503	NEW-P	94-12-095
296-155-405	AMD-P	94-10-010	296-155-785	AMD	94-15-096	296-306-07503	NEW	94-18-067
296-155-405	AMD	94-15-096	296-155-800	AMD-P	94-10-010	296-306-080	REP-W	94-10-007
296-155-407	AMD-P	94-17-164	296-155-800	AMD	94-15-096	296-306-080	AMD-P	94-12-095
296-155-428	AMD-P	94-10-010	296-155-955	AMD-P	94-10-010	296-306-080	AMD-W	94-17-068
296-155-428	AMD	94-15-096	296-155-955	AMD	94-15-096	296-306-080	AMD-W	94-18-066
296-155-429	AMD-P	94-10-010	296-304-010	AMD-P	94-22-086	296-306-080	AMD-P	94-21-099
296-155-429	AMD	94-15-096	296-304-01001	AMD-P	94-22-086	296-306-084	REP-W	94-10-007
296-155-462	AMD-P	94-10-010	296-304-01005	NEW-P	94-22-086	296-306-085	REP-W	94-10-007
296-155-462	AMD	94-15-096	296-304-020	AMD-P	94-22-086	296-306-085	AMD-P	94-21-099
296-155-480	AMD-P	94-10-010	296-304-02001	AMD-P	94-22-086	296-306-08501	NEW-P	94-21-099
296-155-480	AMD	94-15-096	296-304-02003	AMD-P	94-22-086	296-306-08501	NEW-P	94-21-099
296-155-485	AMD-P	94-10-010	296-304-02005	AMD-P	94-22-086	296-306-08503	NEW-P	94-21-099
296-155-485	AMD	94-15-096	296-304-02007	AMD-P	94-22-086	296-306-08505	NEW-P	94-21-099
296-155-48523	AMD-P	94-10-010	296-304-02009	AMD-P	94-22-086	296-306-08507	NEW-P	94-21-099
296-155-48523	AMD	94-15-096	296-304-02011	AMD-P	94-22-086	296-306-08509	NEW-P	94-21-099
296-155-48531	AMD-P	94-10-010	296-304-02013	NEW-P	94-22-086	296-306-090	REP-W	94-10-007
296-155-48531	AMD	94-15-096	296-304-02015	NEW-P	94-22-086	296-306-090	AMD-P	94-21-099
296-155-48533	AMD-P	94-10-010	296-304-03001	AMD-P	94-22-086	296-306-09001	NEW-P	94-21-099
296-155-48533	AMD	94-15-096	296-304-03005	AMD-P	94-22-086	296-306-09003	NEW-P	94-21-099
296-155-505	AMD-P	94-10-010	296-304-03007	AMD-P	94-22-086	296-306-092	NEW-P	94-21-099
296-155-505	AMD	94-15-096	296-304-04001	AMD-P	94-22-086	296-306-09201	NEW-P	94-21-099
296-155-50505	AMD-P	94-10-010	296-304-04005	AMD-P	94-22-086	296-306-09203	NEW-P	94-21-099
296-155-50505	AMD	94-15-096	296-304-06013	AMD-P	94-22-086	296-306-095	REP-W	94-10-007
296-155-530	AMD-P	94-10-010	296-304-08009	AMD-P	94-22-086	296-306-095	AMD-P	94-21-099
296-155-530	AMD	94-15-096	296-305	PREP	94-20-121	296-306-100	REP-W	94-10-007
296-155-545	AMD-P	94-10-010	296-305-025	AMD-P	94-11-124	296-306-100	AMD-P	94-21-099
296-155-545	AMD	94-15-096	296-305-025	AMD	94-16-145	296-306-105	AMD-P	94-21-099
296-155-565	AMD-P	94-10-010	296-306	PREP	94-17-195	296-306-110	AMD	94-06-068
296-155-565	AMD	94-15-096	296-306-003	AMD-W	94-10-007	296-306-115	AMD	94-06-068
296-155-575	AMD-P	94-10-010	296-306-010	AMD	94-06-068	296-306-120	AMD	94-06-068
296-155-575	AMD	94-15-096	296-306-010	AMD-P	94-21-099	296-306-120	AMD-P	94-21-099
296-155-615	AMD-P	94-10-010	296-306-012	AMD	94-06-068	296-306-125	REP-W	94-10-007
296-155-615	AMD	94-15-096	296-306-012	AMD-P	94-21-099	296-306-130	REP-W	94-10-007
296-155-61705	AMD-P	94-10-010	296-306-015	AMD	94-06-068	296-306-135	REP-W	94-10-007
296-155-61705	AMD	94-15-096	296-306-015	AMD-P	94-21-099	296-306-135	AMD-P	94-21-099
296-155-61711	AMD-P	94-10-010	296-306-020	AMD	94-06-068	296-306-140	REP-W	94-10-007
296-155-61711	AMD	94-15-096	296-306-020	AMD-P	94-15-095	296-306-140	AMD-P	94-21-099
296-155-61713	AMD-P	94-10-010	296-306-020	AMD	94-20-057	296-306-145	AMD-E	94-06-044
296-155-61713	AMD	94-15-096	296-306-025	REP-W	94-10-007	296-306-145	REP-W	94-10-007
296-155-620	AMD-P	94-10-010	296-306-025	AMD-P	94-21-099	296-306-145	AMD-P	94-12-095
296-155-620	AMD	94-15-096	296-306-030	AMD-W	94-10-007	296-306-145	AMD-E	94-14-027
296-155-625	AMD-P	94-10-010	296-306-035	AMD-P	94-21-099	296-306-145	AMD	94-18-067
296-155-625	AMD	94-15-096	296-306-045	REP-W	94-10-007	296-306-14501	NEW-E	94-06-044
296-155-630	AMD-P	94-10-010	296-306-045	AMD-P	94-21-099	296-306-14501	NEW-P	94-12-095
296-155-630	AMD	94-15-096	296-306-050	REP-W	94-10-007	296-306-14501	NEW-E	94-14-027
296-155-650	AMD-P	94-10-010	296-306-050	AMD-P	94-21-099	296-306-14501	NEW	94-18-067
296-155-650	AMD	94-15-096	296-306-055	REP-W	94-10-007	296-306-14503	NEW-E	94-06-044
296-155-675	AMD-P	94-10-010	296-306-057	AMD	94-06-068	296-306-14503	NEW-P	94-12-095
296-155-675	AMD	94-15-096	296-306-060	AMD-W	94-10-007	296-306-14503	NEW-E	94-14-027
296-155-680	AMD-P	94-10-010	296-306-061	AMD-E	94-06-044	296-306-14503	NEW	94-18-067
296-155-680	AMD	94-15-096	296-306-061	REP-W	94-10-007	296-306-14505	NEW-E	94-06-044
296-155-682	AMD-P	94-10-010	296-306-061	AMD-P	94-12-095	296-306-14505	NEW-P	94-12-095
296-155-682	AMD	94-15-096	296-306-061	AMD-E	94-14-027	296-306-14505	NEW-E	94-14-027
296-155-684	AMD-P	94-10-010	296-306-061	AMD	94-18-067	296-306-14505	NEW	94-18-067
296-155-684	AMD	94-15-096	296-306-06101	NEW-P	94-12-095	296-306-14505	NEW-E	94-06-044
296-155-691	AMD-P	94-10-010	296-306-06101	NEW	94-18-067	296-306-14507	NEW-P	94-12-095
296-155-691	AMD	94-15-096	296-306-06103	NEW-P	94-12-095	296-306-14507	NEW-E	94-14-027
296-155-699	AMD-P	94-10-010	296-306-06103	NEW	94-18-067	296-306-14507	NEW	94-18-067
296-155-699	AMD	94-15-096	296-306-06105	NEW-P	94-12-095	296-306-14509	NEW-E	94-06-044
296-155-700	AMD-P	94-10-010	296-306-06105	NEW	94-18-067	296-306-14509	NEW-P	94-12-095
296-155-700	AMD	94-15-096	296-306-06107	NEW-P	94-12-095	296-306-14509	NEW-E	94-14-027
296-155-715	AMD-P	94-10-010	296-306-06107	NEW	94-18-067	296-306-14509	NEW	94-18-067
296-155-715	AMD	94-15-096	296-306-06109	NEW-P	94-12-095	296-306-14511	NEW-E	94-06-044
296-155-730	AMD-P	94-10-010	296-306-06109	NEW	94-18-067	296-306-14511	NEW-P	94-12-095
296-155-730	AMD	94-15-096	296-306-065	REP-W	94-10-007	296-306-14511	NEW-E	94-14-027
296-155-730	AMD-P	94-17-164	296-306-065	AMD-P	94-21-099	296-306-14511	NEW	94-18-067
296-155-745	AMD-P	94-10-010	296-306-070	REP-W	94-10-007	296-306-14513	NEW-P	94-12-095
296-155-745	AMD	94-15-096	296-306-075	REP-W	94-10-007	296-306-14513	NEW	94-18-067
296-155-74501	AMD-P	94-10-010	296-306-075	AMD-P	94-12-095	296-306-14515	NEW-P	94-12-095

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
296-306-14515	NEW	94-18-067	296-350-500	AMD-P	94-10-010	308-91-060	AMD	94-13-012
296-306-155	AMD-P	94-21-099	296-350-500	AMD	94-15-096	308-91-070	REP	94-13-012
296-306-160	AMD	94-06-068	296-360-005	AMD-P	94-10-010	308-91-080	AMD-P	94-22-081
296-306-165	AMD-E	94-06-044	296-360-005	AMD	94-15-096	308-91-090	AMD	94-13-012
296-306-165	AMD-W	94-10-007	296-360-040	AMD-P	94-10-010	308-91-150	AMD	94-13-012
296-306-165	AMD-P	94-12-095	296-360-040	AMD	94-15-096	308-91-150	AMD-P	94-22-081
296-306-165	AMD-E	94-14-027	296-360-050	AMD-P	94-10-010	308-93-073	AMD-W	94-03-018
296-306-165	AMD-W	94-17-068	296-360-050	AMD	94-15-096	308-93-280	AMD-W	94-03-018
296-306-165	AMD-W	94-18-066	296-360-080	AMD-P	94-10-010	308-93-330	AMD-W	94-03-018
296-306-165	AMD-P	94-21-099	296-360-080	AMD	94-15-096	308-93-630	REP-W	94-03-018
296-306-170	AMD-E	94-06-044	296-360-090	AMD-P	94-10-010	308-96A-005	AMD-P	94-13-123
296-306-170	AMD-P	94-12-095	296-360-090	AMD	94-15-096	308-96A-005	AMD	94-17-044
296-306-170	AMD-E	94-14-027	296-360-140	AMD-P	94-10-010	308-96A-027	NEW-P	94-13-028
296-306-170	AMD-W	94-17-068	296-360-140	AMD	94-15-096	308-96A-027	NEW-W	95-01-017
296-306-170	AMD-W	94-18-066	304-12-030	AMD	94-11-023	308-96A-035	PREP	94-18-043
296-306-170	AMD-P	94-21-099	308-12-025	PREP	94-19-009	308-96A-175	AMD-P	94-13-123
296-306-175	AMD-E	94-06-044	308-12-025	AMD-P	94-22-024	308-96A-175	AMD	94-17-044
296-306-175	AMD-W	94-10-007	308-12-083	PREP	94-19-010	308-97-010	REP-P	94-13-028
296-306-175	AMD-P	94-12-095	308-12-083	REP-P	94-22-023	308-97-010	REP-W	95-01-017
296-306-175	AMD-E	94-14-027	308-12-083	REP-P	94-22-023	308-97-010	REP-W	95-01-017
296-306-175	AMD	94-18-067	308-13-150	AMD	94-04-044	308-97-060	REP-P	94-13-028
296-306-180	AMD-E	94-06-044	308-13-150	PREP	94-17-017	308-97-060	REP-W	95-01-017
296-306-180	AMD-P	94-12-095	308-13-150	AMD-P	94-19-056	308-97-090	REP-P	94-13-028
296-306-180	AMD-E	94-14-027	308-13-150	AMD	94-23-031	308-97-090	REP-W	95-01-017
296-306-180	AMD	94-18-067	308-13-160	AMD	94-04-044	308-97-125	REP-P	94-13-028
296-306-200	AMD	94-06-068	308-18-150	AMD-P	94-09-018	308-97-125	REP-W	95-01-017
296-306-25007	AMD	94-06-068	308-18-150	AMD-W	94-11-026	308-97-175	REP-P	94-13-028
296-306-26001	AMD-P	94-21-099	308-56A-160	AMD-P	94-13-123	308-97-175	REP-W	95-01-017
296-306-265	AMD	94-06-068	308-56A-160	AMD	94-17-044	308-97-205	REP-P	94-13-028
296-306-300	AMD-W	94-10-007	308-56A-322	NEW-W	94-08-057	308-97-205	REP-W	95-01-017
296-306-330	AMD-P	94-21-099	308-56A-323	NEW-W	94-08-057	308-97-230	REP-P	94-13-028
296-306-400	AMD	94-06-068	308-56A-420	AMD-P	94-17-148	308-97-230	REP-W	95-01-017
296-350-010	AMD-P	94-10-010	308-56A-420	AMD	94-21-055	308-124-005	PREP	94-17-157
296-350-010	AMD	94-15-096	308-62-010	REP-P	94-04-017	308-124-005	AMD-P	94-21-075
296-350-030	AMD-P	94-10-010	308-62-010	REP	94-08-025	308-124A-025	PREP	94-17-157
296-350-030	AMD	94-15-096	308-62-020	REP-P	94-04-017	308-124A-025	AMD-P	94-21-075
296-350-040	AMD-P	94-10-010	308-62-020	REP	94-08-025	308-124A-110	PREP	94-17-157
296-350-040	AMD	94-15-096	308-62-030	REP-P	94-04-017	308-124A-110	AMD-P	94-21-075
296-350-050	AMD-P	94-10-010	308-62-030	REP	94-08-025	308-124A-420	AMD-P	94-21-075
296-350-050	AMD	94-15-096	308-65-040	AMD-P	94-07-037	308-124A-422	PREP	94-17-157
296-350-070	AMD-P	94-10-010	308-65-040	AMD	94-12-052	308-124A-422	PREP	94-17-157
296-350-070	AMD	94-15-096	308-65-070	AMD-P	94-07-037	308-124A-422	AMD-P	94-21-075
296-350-200	AMD-P	94-10-010	308-65-070	AMD	94-12-052	308-124A-425	PREP	94-17-157
296-350-200	AMD	94-15-096	308-65-160	AMD-P	94-07-037	308-124A-425	AMD-P	94-21-075
296-350-210	AMD-P	94-10-010	308-65-160	AMD	94-12-052	308-124A-590	PREP	94-17-157
296-350-210	AMD	94-15-096	308-66-190	AMD-P	94-16-126	308-124A-590	NEW-P	94-21-075
296-350-230	AMD-P	94-10-010	308-66-190	AMD-W	94-17-045	308-124A-600	PREP	94-17-157
296-350-230	AMD	94-15-096	308-66-190	AMD-P	94-17-148	308-124A-600	AMD-P	94-21-075
296-350-240	AMD-P	94-10-010	308-66-190	AMD	94-21-055	308-124H-011	PREP	94-17-157
296-350-240	AMD	94-15-096	308-66-195	AMD-P	94-16-126	308-124H-011	AMD-P	94-21-075
296-350-250	AMD-P	94-10-010	308-66-195	AMD-W	94-17-045	308-124H-025	PREP	94-17-157
296-350-250	AMD	94-15-096	308-66-195	AMD-P	94-17-148	308-124H-025	AMD-P	94-21-075
296-350-255	AMD-P	94-10-010	308-66-195	AMD	94-21-055	308-124H-035	REP-P	94-21-075
296-350-255	AMD	94-15-096	308-72-543	NEW-P	94-02-076	308-124H-036	REP-P	94-21-075
296-350-260	AMD-P	94-10-010	308-72-543	NEW	94-11-055	308-124H-037	REP-P	94-21-075
296-350-260	AMD	94-15-096	308-72-660	AMD-P	94-02-076	308-124H-041	PREP	94-17-157
296-350-280	AMD-P	94-10-010	308-72-660	AMD	94-11-055	308-124H-041	AMD-P	94-21-075
296-350-280	AMD	94-15-096	308-72-665	NEW-P	94-02-076	308-124H-061	AMD-P	94-21-075
296-350-350	AMD-P	94-10-010	308-72-665	NEW	94-11-055	308-124H-080	AMD-P	94-21-075
296-350-350	AMD	94-15-096	308-72-690	AMD-P	94-02-076	308-124H-310	PREP	94-17-157
296-350-35010	AMD-P	94-10-010	308-72-690	AMD	94-11-055	308-124H-310	AMD-P	94-21-075
296-350-35010	AMD	94-15-096	308-77-010	AMD-P	94-02-075	308-124H-540	PREP	94-17-157
296-350-35055	AMD-P	94-10-010	308-77-010	AMD	94-11-029	308-124H-540	AMD-P	94-21-075
296-350-35055	AMD	94-15-096	308-77-060	AMD-P	94-02-075	308-124H-570	PREP	94-17-157
296-350-400	AMD-P	94-10-010	308-77-060	AMD	94-11-029	308-124H-570	AMD-P	94-21-075
296-350-400	AMD	94-15-096	308-77-095	AMD-P	94-02-075	308-124H-800	PREP	94-17-157
296-350-450	AMD-P	94-10-010	308-77-095	AMD	94-11-029	308-124H-800	AMD-P	94-21-075
296-350-450	AMD	94-15-096	308-77-155	NEW-P	94-02-075	308-125-075	NEW-P	94-12-041
296-350-460	AMD-P	94-10-010	308-77-155	NEW	94-11-029	308-125-075	NEW	94-15-058
296-350-460	AMD	94-15-096	308-77-250	AMD-P	94-02-075	308-128A-020	AMD	94-04-050
296-350-470	AMD-P	94-10-010	308-77-250	AMD	94-11-029	308-128A-030	AMD	94-04-050
296-350-470	AMD	94-15-096	308-91-030	AMD	94-13-012	308-128A-040	AMD	94-04-050
296-350-470	AMD-P	94-10-010	308-91-040	AMD	94-13-012	308-128C-040	AMD	94-04-050
296-350-470	AMD	94-15-096	308-91-050	AMD	94-13-012	308-128C-050	AMD	94-04-050

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
308-128D-010	AMD	94-04-050	314-25-030	NEW-P	94-05-095	315-11A-123	NEW	94-11-027
308-128D-030	AMD	94-04-050	314-25-030	NEW	94-08-032	315-11A-124	NEW-P	94-07-116
308-128D-040	AMD	94-04-050	314-25-040	NEW-P	94-05-095	315-11A-124	NEW	94-11-027
308-128D-070	AMD	94-04-050	314-25-040	NEW	94-08-032	315-11A-125	NEW-P	94-07-116
308-128E-011	AMD	94-04-050	314-25-050	NEW-P	94-10-003	315-11A-125	NEW	94-11-027
308-128F-020	AMD	94-04-050	314-25-050	NEW	94-13-126	315-11A-126	NEW-P	94-07-116
308-330	PREP	94-17-007	314-44-015	NEW-P	94-11-087	315-11A-126	NEW	94-11-027
308-330-157	AMD-P	94-14-041	314-44-015	NEW	94-14-023	315-11A-127	NEW-P	94-12-082
308-330-157	AMD-C	94-19-057	314-52-115	AMD	94-06-022	315-11A-127	NEW	94-15-049
308-330-157	AMD-E	94-21-001	314-60-010	AMD	94-03-060	315-11A-128	NEW-P	94-12-082
308-330-157	AMD	94-23-029	314-60-020	AMD	94-03-060	315-11A-128	NEW	94-15-049
308-330-197	AMD-P	94-14-041	314-60-030	AMD	94-03-060	315-11A-129	NEW-P	94-12-082
308-330-197	AMD-C	94-19-057	314-60-080	AMD	94-03-060	315-11A-129	NEW	94-15-049
308-330-197	AMD-E	94-21-001	314-60-105	AMD	94-03-060	315-11A-130	NEW-P	94-12-082
308-330-197	AMD	94-23-029	314-60-110	AMD	94-03-060	315-11A-130	NEW	94-15-049
308-330-300	AMD-E	94-14-040	314-64-060	REP-P	94-11-085	315-11A-130	AMD-P	93-19-059
308-330-300	AMD-P	94-14-041	314-64-060	REP	94-14-021	315-11A-130	AMD	94-23-047
308-330-300	AMD-C	94-19-057	314-64-080	AMD-P	94-11-086	315-11A-131	NEW-P	94-16-121
308-330-300	AMD-E	94-21-001	314-64-080	AMD	94-14-022	315-11A-131	NEW	94-19-063
308-330-300	AMD	94-23-029	314-70-050	AMD-P	94-24-033	315-11A-132	NEW-P	94-16-121
308-330-307	AMD-E	94-14-040	315-02-120	REP	94-03-020	315-11A-132	NEW	94-19-063
308-330-307	AMD-P	94-14-041	315-04-180	AMD	94-03-020	315-11A-133	NEW-P	93-19-059
308-330-307	AMD-C	94-19-057	315-04-180	AMD-P	94-07-116	315-11A-133	NEW	94-23-047
308-330-307	AMD-E	94-21-001	315-04-180	AMD	94-11-027	315-11A-134	NEW-P	93-19-059
308-330-307	AMD	94-23-029	315-04-200	PREP	94-14-058	315-11A-134	NEW	94-23-047
308-330-320	AMD-E	94-14-040	315-04-200	PREP	94-17-147	315-11A-135	NEW-P	93-19-059
308-330-320	AMD-P	94-14-041	315-04-200	AMD-P	94-19-059	315-11A-135	NEW	94-23-047
308-330-320	AMD-C	94-19-057	315-04-200	AMD	94-23-047	315-11A-136	NEW-P	94-23-146
308-330-320	AMD-E	94-21-001	315-04-210	AMD	94-03-020	315-11A-137	NEW-P	94-23-146
308-330-320	AMD	94-23-029	315-04-210	AMD-P	94-07-116	315-11A-138	NEW-P	94-23-146
308-330-400	AMD-E	94-14-040	315-04-210	AMD	94-11-027	315-11A-139	NEW-P	94-23-146
308-330-400	AMD-P	94-14-041	315-06-035	AMD	94-03-020	315-30-030	AMD	94-03-020
308-330-400	AMD-C	94-19-057	315-06-120	AMD-P	94-12-082	315-34-040	AMD-P	94-03-099
308-330-400	AMD-E	94-21-001	315-06-120	AMD-C	94-16-122	315-34-040	AMD	94-07-029
308-330-400	AMD	94-23-029	315-06-120	AMD	94-19-062	317-20	PREP	94-12-025
308-330-418	NEW-W	94-09-002	315-06-130	AMD-P	94-12-082	317-20-010	REP-P	94-17-169
308-330-425	AMD-E	94-14-040	315-06-130	AMD-C	94-16-122	317-20-010	REP	95-01-029
308-330-425	AMD-P	94-14-041	315-06-130	AMD	94-19-062	317-20-020	REP-P	94-17-169
308-330-425	AMD-C	94-19-057	315-06-140	REP	94-03-020	317-20-020	REP	95-01-029
308-330-425	AMD-E	94-21-001	315-06-150	REP	94-03-020	317-20-025	REP-P	94-17-169
308-330-425	AMD	94-23-029	315-06-160	REP	94-03-020	317-20-025	REP	95-01-029
314-10-030	AMD-P	94-24-035	315-06-170	AMD	94-03-020	317-20-030	REP-P	94-17-169
314-10-070	NEW-W	94-08-010	315-06-180	REP	94-03-020	317-20-030	REP	95-01-029
314-10-070	NEW-W	94-08-023	315-06-190	AMD	94-03-020	317-20-040	REP-P	94-17-169
314-12-142	NEW-W	94-06-021	315-10-030	AMD	94-03-020	317-20-040	REP	95-01-029
314-12-170	PREP	94-15-076	315-10-060	AMD	94-03-020	317-20-050	REP-P	94-17-169
314-12-170	AMD-P	94-24-052	315-10-080	AMD	94-03-020	317-20-050	REP	95-01-029
314-12-185	NEW-P	94-05-094	315-11A-114	NEW	94-03-019	317-20-055	REP-P	94-17-169
314-12-185	NEW-W	94-08-029	315-11A-115	NEW	94-03-019	317-20-055	REP	95-01-029
314-12-190	NEW-P	94-10-066	315-11A-116	NEW	94-03-019	317-20-060	REP-P	94-17-169
314-12-190	NEW-W	94-13-125	315-11A-117	NEW	94-03-019	317-20-060	REP	95-01-029
314-12-195	NEW-P	94-15-098	315-11A-117	AMD-P	94-07-116	317-20-065	REP-P	94-17-169
314-12-195	NEW	94-18-078	315-11A-117	AMD	94-11-027	317-20-065	REP	95-01-029
314-16-010	REP-P	94-07-125	315-11A-118	NEW-P	94-03-099	317-20-066	REP-P	94-17-169
314-16-010	REP	94-10-035	315-11A-118	NEW	94-07-029	317-20-066	REP	95-01-029
314-16-050	AMD-P	94-05-096	315-11A-118	AMD-P	94-12-082	317-20-070	REP-P	94-17-169
314-16-050	AMD	94-08-031	315-11A-118	AMD	94-15-049	317-20-070	REP	95-01-029
314-16-111	NEW-P	94-10-067	315-11A-119	NEW-P	94-03-099	317-20-080	REP-P	94-17-169
314-16-111	NEW	94-13-128	315-11A-119	NEW	94-07-029	317-20-080	REP	95-01-029
314-16-111	PREP	94-24-027	315-11A-119	AMD-P	94-12-082	317-20-090	REP-P	94-17-169
314-16-150	AMD-P	94-05-093	315-11A-119	AMD	94-15-049	317-20-090	REP	95-01-029
314-16-150	AMD	94-08-030	315-11A-120	NEW-P	94-03-099	317-20-100	REP-P	94-17-169
314-16-199	NEW-P	94-10-004	315-11A-120	NEW	94-07-029	317-20-100	REP	95-01-029
314-16-199	NEW	94-13-127	315-11A-120	AMD-P	94-12-082	317-20-110	REP-P	94-17-169
314-18-080	AMD-P	94-24-034	315-11A-120	AMD	94-15-049	317-20-110	REP	95-01-029
314-20-100	PREP	94-24-025	315-11A-121	NEW-P	94-03-099	317-20-120	REP-P	94-17-169
314-24-190	PREP	94-24-025	315-11A-121	NEW	94-07-029	317-20-120	REP	95-01-029
314-24-230	AMD-P	94-07-124	315-11A-122	NEW-P	94-07-116	317-20-130	REP-P	94-17-169
314-24-230	AMD	94-10-034	315-11A-122	NEW	94-11-027	317-20-130	REP	95-01-029
314-25-010	NEW-P	94-05-095	315-11A-122	PREP	94-14-058	317-20-140	REP-P	94-17-169
314-25-010	NEW	94-08-032	315-11A-122	AMD-P	94-16-121	317-20-140	REP	95-01-029
314-25-020	NEW-P	94-05-095	315-11A-122	AMD	94-19-063	317-20-150	REP-P	94-17-169
314-25-020	NEW	94-08-032	315-11A-123	NEW-P	94-07-116	317-20-150	REP	95-01-029

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
317-20-155	REP-P	94-17-169	317-21-300	NEW-P	94-17-169	326-02-030	AMD-P	94-17-177
317-20-155	REP	95-01-029	317-21-300	NEW	95-01-029	326-02-030	PREP	94-17-178
317-20-160	REP-P	94-17-169	317-21-305	NEW	95-01-029	326-02-030	AMD-E	94-18-109
317-20-160	REP	95-01-029	317-21-310	NEW-P	94-17-169	326-02-030	AMD-W	94-21-076
317-20-165	REP-P	94-17-169	317-21-310	NEW	95-01-029	326-02-030	AMD-P	94-21-084
317-20-165	REP	95-01-029	317-21-315	NEW	95-01-029	326-02-030	AMD-C	94-22-080
317-20-170	REP-P	94-17-169	317-21-320	NEW	95-01-029	326-02-034	NEW	94-11-113
317-20-170	REP	95-01-029	317-21-325	NEW	95-01-029	326-02-050	AMD-P	94-08-107
317-20-180	REP-P	94-17-169	317-21-330	NEW	95-01-029	326-02-050	AMD	94-11-117
317-20-180	REP	95-01-029	317-21-335	NEW	95-01-029	326-20-120	AMD-P	94-08-108
317-20-190	REP-P	94-17-169	317-21-340	NEW	95-01-029	326-20-120	AMD	94-11-114
317-20-190	REP	95-01-029	317-21-345	NEW	95-01-029	326-20-125	AMD-P	94-08-108
317-20-200	REP-P	94-17-169	317-21-400	NEW-P	94-17-169	326-20-125	AMD	94-11-115
317-20-200	REP	95-01-029	317-21-400	NEW	95-01-029	326-30-041	AMD	94-03-068
317-20-210	REP-P	94-17-169	317-21-410	NEW-P	94-17-169	326-30-041	AMD-E	94-16-064
317-20-210	REP	95-01-029	317-21-410	NEW	95-01-029	326-30-051	AMD	94-07-064
317-20-220	REP-P	94-17-169	317-21-420	NEW-P	94-17-169	326-40-030	AMD-P	94-08-109
317-20-220	REP	95-01-029	317-21-430	NEW-P	94-17-169	326-40-030	AMD	94-11-118
317-20-230	REP-P	94-17-169	317-21-440	NEW-P	94-17-169	326-40-040	AMD-S	94-08-110
317-20-230	REP	95-01-029	317-21-450	NEW-P	94-17-169	326-40-040	AMD	94-11-119
317-20-240	REP-P	94-17-169	317-21-460	NEW-P	94-17-169	326-40-060	AMD	94-07-064
317-20-240	REP	95-01-029	317-21-500	NEW	95-01-029	326-40-060	AMD-E	94-17-056
317-20-900	REP-P	94-17-169	317-21-510	NEW	95-01-029	332-18	AMD-P	94-09-062
317-20-900	REP	95-01-029	317-21-520	NEW	95-01-029	332-18	AMD	94-14-051
317-20-999	REP-P	94-17-169	317-21-530	NEW	95-01-029	332-18-010	AMD-P	94-09-062
317-20-999	REP	95-01-029	317-21-540	NEW	95-01-029	332-18-010	AMD	94-14-051
317-21	NEW-C	94-23-032	317-21-550	NEW	95-01-029	332-18-01001	NEW-P	94-09-062
317-21-010	NEW-P	94-17-169	317-21-560	NEW	95-01-029	332-18-01001	NEW	94-14-051
317-21-010	NEW	95-01-029	317-21-900	NEW-P	94-17-169	332-18-01002	NEW-P	94-09-062
317-21-020	NEW-P	94-17-169	317-21-900	NEW	95-01-029	332-18-01002	NEW	94-14-051
317-21-020	NEW	95-01-029	317-21-910	NEW-P	94-17-169	332-18-01003	NEW-P	94-09-062
317-21-030	NEW-P	94-17-169	317-21-910	NEW	95-01-029	332-18-01003	NEW	94-14-051
317-21-030	NEW	95-01-029	317-40	NEW-C	94-16-059	332-18-01004	NEW-P	94-09-062
317-21-040	NEW-P	94-17-169	317-40-010	NEW-P	94-12-093	332-18-01004	NEW	94-14-051
317-21-040	NEW	95-01-029	317-40-010	NEW	94-16-076	332-18-01005	NEW-P	94-09-062
317-21-050	NEW-P	94-17-169	317-40-020	NEW-P	94-12-093	332-18-01005	NEW	94-14-051
317-21-050	NEW	95-01-029	317-40-020	NEW	94-16-076	332-18-015	REP-P	94-09-062
317-21-060	NEW-P	94-17-169	317-40-030	NEW-P	94-12-093	332-18-015	REP	94-14-051
317-21-060	NEW	95-01-029	317-40-030	NEW	94-16-076	332-18-020	REP-P	94-09-062
317-21-070	NEW-P	94-17-169	317-40-040	NEW-P	94-12-093	332-18-020	REP	94-14-051
317-21-070	NEW	95-01-029	317-40-040	NEW	94-16-076	332-18-030	REP-P	94-09-062
317-21-100	NEW-P	94-17-169	317-40-050	NEW-P	94-12-093	332-18-030	REP	94-14-051
317-21-100	NEW	95-01-029	317-40-050	NEW	94-16-076	332-18-040	REP-P	94-09-062
317-21-110	NEW-P	94-17-169	317-40-060	NEW-P	94-12-093	332-18-040	REP	94-14-051
317-21-110	NEW	95-01-029	317-40-060	NEW	94-16-076	332-18-050	AMD-P	94-09-062
317-21-120	NEW-P	94-17-169	317-40-065	NEW-P	94-12-093	332-18-050	AMD	94-14-051
317-21-120	NEW	95-01-029	317-40-065	NEW	94-16-076	332-18-05001	NEW-P	94-09-062
317-21-130	NEW-P	94-17-169	317-40-070	NEW-P	94-12-093	332-18-05001	NEW	94-14-051
317-21-130	NEW	95-01-029	317-40-070	NEW	94-16-076	332-18-05002	NEW-P	94-09-062
317-21-140	NEW-P	94-17-169	317-40-080	NEW-P	94-12-093	332-18-05002	NEW	94-14-051
317-21-140	NEW	95-01-029	317-40-080	NEW	94-16-076	332-18-05003	NEW-P	94-09-062
317-21-200	NEW-P	94-17-169	317-40-085	NEW-P	94-12-093	332-18-05003	NEW	94-14-051
317-21-200	NEW	95-01-029	317-40-085	NEW	94-16-076	332-18-05004	NEW-P	94-09-062
317-21-205	NEW	95-01-029	317-40-090	NEW-P	94-12-093	332-18-05004	NEW	94-14-051
317-21-210	NEW-P	94-17-169	317-40-090	NEW	94-16-076	332-18-05005	NEW-P	94-09-062
317-21-210	NEW	95-01-029	317-40-100	NEW-P	94-12-093	332-18-05005	NEW	94-14-051
317-21-215	NEW	95-01-029	317-40-100	NEW	94-16-076	332-18-05006	NEW-P	94-09-062
317-21-220	NEW-P	94-17-169	317-40-110	NEW-P	94-12-093	332-18-05006	NEW	94-14-051
317-21-220	NEW	95-01-029	317-40-110	NEW	94-16-076	332-18-05007	NEW-P	94-09-062
317-21-225	NEW	95-01-029	317-40-120	NEW-P	94-12-093	332-18-05007	NEW	94-14-051
317-21-230	NEW-P	94-17-169	317-40-120	NEW	94-16-076	332-18-05008	NEW-P	94-09-062
317-21-230	NEW	95-01-029	317-40-130	NEW-P	94-12-093	332-18-05008	NEW	94-14-051
317-21-235	NEW	95-01-029	317-40-130	NEW	94-16-076	332-18-05009	NEW-P	94-09-062
317-21-240	NEW-P	94-17-169	317-40-140	NEW-P	94-12-093	332-18-05009	NEW	94-14-051
317-21-240	NEW	95-01-029	317-40-140	NEW	94-16-076	332-18-060	REP-P	94-09-062
317-21-245	NEW	95-01-029	317-40-150	NEW-P	94-12-093	332-18-060	REP	94-14-051
317-21-250	NEW-P	94-17-169	317-40-150	NEW	94-16-076	332-18-070	REP-P	94-09-062
317-21-250	NEW	95-01-029	317-40-900	NEW-P	94-12-093	332-18-070	REP	94-14-051
317-21-255	NEW	95-01-029	317-40-900	NEW	94-16-076	332-18-080	REP-P	94-09-062
317-21-260	NEW-P	94-17-169	317-40-910	NEW-P	94-12-093	332-18-080	REP	94-14-051
317-21-260	NEW	95-01-029	317-40-910	NEW	94-16-076	332-18-090	REP-P	94-09-062
317-21-265	NEW	95-01-029	326-02-030	AMD-P	94-08-107	332-18-090	REP	94-14-051
317-21-270	NEW-P	94-17-169	326-02-030	AMD	94-11-116	332-18-100	REP-P	94-09-062

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
332-18-100	REP	94-14-051	352-32-252	AMD-C	94-06-010	352-74-040	AMD-P	94-18-076
332-18-110	REP-P	94-09-062	352-32-252	AMD	94-08-036	352-74-040	AMD	94-23-010
332-18-110	REP	94-14-051	352-32-255	AMD-P	94-03-097	352-74-045	NEW-P	94-18-076
332-18-120	AMD-P	94-09-062	352-32-255	AMD-C	94-06-010	352-74-045	NEW	94-23-010
332-18-120	AMD	94-14-051	352-32-255	AMD	94-08-036	352-74-060	AMD-P	94-18-076
332-18-130	AMD-P	94-09-062	352-32-305	NEW-P	94-18-077	352-74-060	AMD	94-23-010
332-18-130	AMD	94-14-051	352-32-320	NEW-P	94-03-097	352-74-070	AMD-P	94-18-076
332-18-140	NEW-P	94-09-062	352-32-320	NEW-C	94-06-010	352-74-070	AMD	94-23-010
332-18-140	NEW	94-14-051	352-32-320	NEW	94-08-036	352-76-010	NEW-P	94-10-070
332-18-150	NEW-P	94-09-062	352-60	AMD-P	94-12-065	352-76-010	NEW	94-13-082
332-18-150	NEW	94-14-051	352-60	AMD	94-16-027	352-76-020	NEW-P	94-10-070
332-24-221	AMD-P	94-08-093	352-60-010	AMD-P	94-12-065	352-76-020	NEW	94-13-082
332-24-221	AMD	94-14-063	352-60-010	AMD	94-16-027	352-76-030	NEW-P	94-10-070
332-26-040	NEW-E	94-13-095	352-60-020	AMD-P	94-12-065	352-76-030	NEW	94-13-082
332-26-050	NEW-E	94-13-095	352-60-020	AMD	94-16-027	352-76-040	NEW-P	94-10-070
332-26-060	NEW-E	94-13-095	352-60-030	AMD-P	94-12-065	352-76-040	NEW	94-13-082
332-26-080	NEW-E	94-09-020	352-60-030	AMD	94-16-027	352-76-050	NEW-P	94-10-070
332-26-900	NEW-E	94-16-127	352-60-040	AMD-P	94-12-065	352-76-050	NEW	94-13-082
332-26-900	REP-E	94-18-022	352-60-040	AMD	94-16-027	352-76-060	NEW-P	94-10-070
332-26-901	NEW-E	94-18-022	352-60-050	AMD-P	94-12-065	352-76-060	NEW	94-13-082
332-26-901	REP-E	94-19-014	352-60-050	AMD	94-16-027	352-76-076	NEW-P	94-10-070
332-26-902	NEW-E	94-19-014	352-60-060	AMD-P	94-12-065	352-76-070	NEW	94-13-082
332-26-902	REP-E	94-19-021	352-60-060	AMD	94-16-027	352-76-080	NEW-P	94-10-070
332-30-166	AMD-E	94-13-056	352-60-065	NEW-P	94-12-065	352-76-080	NEW	94-13-082
332-30-166	PREP	94-14-009	352-60-065	NEW	94-16-027	356-05-477	NEW	94-04-011
332-30-166	PREP	94-16-093	352-60-066	NEW-P	94-12-065	356-05-479	NEW	94-04-011
332-30-166	AMD-E	94-18-123	352-60-066	NEW	94-16-027	356-06-045	NEW	94-04-011
332-30-166	AMD-P	94-18-122	352-60-070	AMD-P	94-12-065	356-06-110	NEW-P	94-22-073
332-30-166	AMD	94-23-006	352-60-070	AMD	94-16-027	356-06-110	NEW-C	95-01-073
332-120-010	AMD	94-06-034	352-60-080	AMD-P	94-12-065	356-09	NEW-C	94-04-086
332-120-020	AMD	94-06-034	352-60-080	AMD	94-16-027	356-09-010	REP-W	94-04-010
332-120-030	AMD	94-06-034	352-60-090	AMD-P	94-12-065	356-09-020	REP-W	94-04-010
332-120-040	AMD	94-06-034	352-60-090	AMD	94-16-027	356-09-030	REP-W	94-04-010
332-120-050	AMD	94-06-034	352-60-120	NEW-P	94-12-065	356-09-040	REP-W	94-04-010
332-120-060	NEW	94-06-034	352-60-120	NEW	94-16-027	356-09-050	REP-W	94-04-010
332-120-070	NEW	94-06-034	352-60-130	NEW-P	94-12-065	356-10-020	AMD-P	94-12-060
352-04-010	AMD-P	94-21-073	352-60-130	NEW	94-16-027	356-10-020	AMD-C	94-16-051
352-04-010	AMD-W	94-24-011	352-65-010	AMD	94-04-076	356-10-020	AMD-C	94-20-024
352-28	AMD-P	94-06-049	352-65-020	AMD	94-04-076	356-10-020	AMD-C	94-21-092
352-28	AMD	94-10-012	352-65-030	AMD	94-04-076	356-10-020	AMD-C	94-23-138
352-28-005	AMD-P	94-06-049	352-65-040	AMD	94-04-076	356-10-020	AMD-W	95-01-072
352-28-005	AMD	94-10-012	352-65-060	AMD	94-04-076	356-10-040	AMD-P	94-12-060
352-28-010	AMD-P	94-06-049	352-68-010	NEW-P	94-18-075	356-10-040	AMD-C	94-16-051
352-28-010	AMD	94-10-012	352-68-010	NEW	94-23-009	356-10-040	AMD-C	94-20-024
352-32-010	AMD-P	94-03-097	352-68-020	NEW-P	94-18-075	356-10-040	AMD-C	94-21-092
352-32-010	AMD-C	94-06-010	352-68-020	NEW	94-23-009	356-10-040	AMD-W	94-22-074
352-32-010	AMD	94-08-036	352-68-030	NEW-P	94-18-075	356-10-045	AMD-P	94-12-060
352-32-010	AMD-P	94-18-077	352-68-030	NEW	94-23-009	356-10-045	AMD-C	94-16-051
352-32-010	AMD	94-23-024	352-68-040	NEW-P	94-18-075	356-10-045	AMD-C	94-20-024
352-32-030	AMD-P	94-18-077	352-68-040	NEW	94-23-009	356-10-045	AMD-C	94-21-092
352-32-030	AMD	94-23-024	352-68-050	NEW-P	94-18-075	356-10-045	AMD-W	94-22-074
352-32-036	AMD-P	94-18-077	352-68-050	NEW	94-23-009	356-10-050	AMD-P	94-12-060
352-32-045	AMD-P	94-03-097	352-68-060	NEW-P	94-18-075	356-10-050	AMD-C	94-16-051
352-32-045	AMD-C	94-06-010	352-68-060	NEW	94-23-009	356-10-050	AMD-C	94-20-024
352-32-045	AMD	94-08-036	352-68-070	NEW-P	94-18-075	356-10-050	AMD-C	94-21-092
352-32-045	AMD-P	94-18-077	352-68-070	NEW	94-23-009	356-10-050	AMD-C	94-23-138
352-32-045	AMD	94-23-024	352-68-080	NEW-P	94-18-075	356-10-050	AMD-W	95-01-072
352-32-195	AMD-P	94-12-064	352-68-080	NEW	94-23-009	356-26-030	AMD-E	94-04-085
352-32-195	AMD	94-16-026	352-68-090	NEW-P	94-18-075	356-26-030	AMD-P	94-06-066
352-32-210	AMD-P	94-10-069	352-68-090	NEW	94-23-009	356-26-030	AMD	94-10-008
352-32-210	AMD	94-13-081	352-68-100	NEW-P	94-18-075	356-26-070	AMD-E	94-04-085
352-32-250	AMD-P	94-03-097	352-68-100	NEW	94-23-009	356-26-070	AMD-P	94-06-066
352-32-250	AMD-C	94-06-010	352-68-110	NEW-P	94-18-075	356-26-070	AMD	94-10-008
352-32-250	AMD	94-08-036	352-68-110	NEW	94-23-009	356-30-285	NEW	94-04-011
352-32-250	AMD-E	94-09-009	352-68-120	NEW-P	94-18-075	356-30-315	NEW	94-04-011
352-32-250	AMD-P	94-10-048	352-68-120	NEW	94-23-009	356-30-328	NEW-W	94-04-009
352-32-250	AMD	94-13-080	352-68-130	NEW-P	94-18-075	356-30-331	REP-P	94-12-056
352-32-250	AMD-P	94-18-077	352-68-130	NEW	94-23-009	356-30-331	REP-C	94-16-050
352-32-250	AMD	94-23-024	352-74-020	AMD-P	94-18-076	356-30-331	REP-W	94-18-055
352-32-25001	AMD	94-04-075	352-74-020	AMD	94-23-010	356-34-030	AMD-P	94-22-073
352-32-25001	AMD-P	94-21-074	352-74-040	AMD-P	94-03-089	356-34-030	AMD-C	95-01-073
352-32-25002	AMD-P	94-21-074	352-74-040	AMD-C	94-06-020	356-37-080	AMD-P	94-04-084
352-32-252	AMD-P	94-03-097	352-74-040	AMD	94-08-005	356-37-080	AMD	94-08-024

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
356-37-090	AMD-P	94-04-084	359-39-030	NEW	94-13-091	388-14-310	AMD-P	94-11-112
356-37-090	AMD	94-08-024	359-39-040	NEW-P	94-06-065	388-14-310	AMD	94-15-046
356-46-125	AMD-P	94-20-114	359-39-040	NEW	94-13-091	388-14-385	AMD-P	94-11-110
356-46-125	AMD-C	94-23-137	359-39-050	NEW-P	94-06-065	388-14-385	AMD	94-15-045
356-46-125	AMD	95-01-074	359-39-050	NEW	94-13-091	388-14-390	AMD-P	94-11-112
356-56	PREP	94-15-101	359-39-090	NEW-P	94-06-065	388-14-390	AMD	94-15-046
356-56-015	AMD-E	94-03-069	359-39-090	NEW	94-13-091	388-15-110	PREP	94-24-060
356-56-015	AMD-P	94-06-064	359-39-140	NEW-P	94-06-065	388-15-214	AMD-P	94-07-082
356-56-015	AMD	94-09-012	359-39-140	NEW	94-13-091	388-15-214	AMD	94-10-025
356-56-015	AMD-P	94-09-065	359-48	PREP	94-19-089	388-15-820	PREP	94-16-071
356-56-015	AMD	94-12-055	359-48	AMD-P	94-20-115	388-15-820	AMD-P	94-18-049
356-56-015	AMD-P	94-16-139	359-48	AMD	94-23-136	388-15-820	AMD	94-21-042
356-56-015	AMD	94-20-022	365-140-030	AMD-P	94-13-022	388-15-830	PREP	94-16-071
356-56-021	AMD-P	94-09-065	365-140-030	AMD-E	94-13-072	388-15-830	AMD-P	94-18-049
356-56-021	AMD	94-12-055	365-140-030	AMD	94-18-073	388-15-830	AMD	94-21-042
356-56-021	REP-P	94-16-139	365-140-045	NEW-P	94-13-022	388-15-840	PREP	94-16-071
356-56-021	REP	94-20-022	365-140-045	NEW-E	94-13-072	388-15-840	AMD-P	94-18-049
356-56-030	AMD-P	94-06-064	365-140-045	NEW	94-18-073	388-15-840	AMD	94-21-042
356-56-030	AMD	94-09-012	365-140-050	AMD-P	94-13-022	388-15-850	PREP	94-16-071
356-56-035	AMD-P	94-09-065	365-140-050	AMD-E	94-13-072	388-15-850	AMD-P	94-18-049
356-56-035	AMD	94-12-055	365-140-050	AMD	94-18-073	388-15-850	AMD	94-21-042
356-56-050	AMD-P	94-09-065	371-08-010	AMD-E	94-07-061	388-20-010	REP-P	94-07-114
356-56-050	AMD	94-12-055	371-08-010	AMD-P	94-07-098	388-20-010	REP	94-10-065
356-56-050	AMD-E	94-14-072	371-08-010	AMD	94-12-027	388-22-030	AMD-P	94-04-042
356-56-050	AMD-P	94-16-139	371-08-061	NEW-E	94-07-061	388-22-030	AMD	94-08-022
356-56-050	AMD	94-20-022	371-08-061	NEW-P	94-07-098	388-24	AMD-P	94-12-008
356-56-105	AMD-P	94-09-065	371-08-061	NEW	94-12-027	388-24	AMD-E	94-12-009
356-56-105	AMD	94-12-055	371-08-147	AMD-E	94-07-061	388-24	AMD	94-16-044
356-56-110	NEW-W	94-11-071	371-08-147	AMD-P	94-07-098	388-24-040	REP-P	94-07-114
356-56-115	AMD-P	94-06-064	371-08-147	AMD	94-12-027	388-24-040	REP	94-10-065
356-56-115	AMD	94-09-012	371-08-162	AMD-E	94-07-061	388-24-042	REP-P	94-07-114
356-56-115	AMD-P	94-09-065	371-08-162	AMD-P	94-07-098	388-24-042	REP	94-10-065
356-56-115	AMD	94-12-055	371-08-162	AMD	94-12-027	388-24-042	REP	94-10-065
356-56-120	AMD-P	94-09-065	371-08-162	AMD	94-12-027	388-24-044	AMD-P	94-05-017
356-56-120	AMD	94-12-055	371-08-165	AMD-E	94-07-061	388-24-044	REP-P	94-07-114
356-56-205	AMD-P	94-09-065	371-08-165	AMD-P	94-07-098	388-24-044	AMD	94-08-017
356-56-205	AMD	94-12-055	371-08-165	AMD	94-12-027	388-24-044	REP	94-10-065
356-56-210	AMD-P	94-09-065	371-08-167	NEW-E	94-07-061	388-24-050	REP-P	94-07-114
356-56-210	AMD	94-12-055	371-08-167	NEW-P	94-07-098	388-24-050	REP	94-10-065
356-56-210	AMD	94-12-055	371-08-167	NEW	94-12-027	388-24-052	REP-P	94-07-114
356-56-220	AMD-P	94-09-065	371-08-197	NEW-E	94-07-061	388-24-052	REP	94-10-065
356-56-220	AMD	94-12-055	371-08-197	NEW-P	94-07-098	388-24-052	REP	94-10-065
356-56-230	AMD-E	94-03-069	371-08-197	NEW	94-12-027	388-24-055	REP-P	94-07-114
356-56-230	AMD-P	94-06-064	374-50-010	AMD-P	94-18-001	388-24-055	REP	94-10-065
356-56-230	AMD	94-09-012	374-50-010	AMD-W	94-19-037	388-24-060	REP-P	94-07-114
356-56-240	NEW-P	94-11-071	374-50-020	AMD-P	94-18-001	388-24-060	REP	94-10-065
356-56-250	NEW-P	94-11-071	374-50-020	AMD-W	94-19-037	388-24-060	REP	94-10-065
356-56-275	NEW-P	94-11-071	374-50-030	AMD-P	94-18-001	388-24-065	REP-P	94-07-114
356-56-300	NEW-P	94-11-071	374-50-030	AMD-W	94-19-037	388-24-065	REP	94-10-065
356-56-550	AMD-P	94-09-065	374-50-035	NEW-P	94-18-001	388-24-070	REP-P	94-07-114
356-56-550	AMD	94-12-055	374-50-035	AMD-W	94-19-037	388-24-070	REP	94-10-065
359-07	PREP	94-19-089	374-50-040	AMD-P	94-18-001	388-24-074	REP	94-10-065
359-07	AMD-P	94-20-115	374-50-040	AMD-W	94-19-037	388-24-074	REP-P	94-07-114
359-07	AMD	94-23-136	374-50-050	AMD-P	94-18-001	388-24-090	REP-P	94-07-114
359-09	PREP	94-19-089	374-50-050	AMD-W	94-19-037	388-24-090	REP	94-10-065
359-09	AMD-P	94-20-115	374-50-070	AMD-P	94-18-001	388-24-108	REP-P	94-07-114
359-09	AMD	94-23-136	374-50-070	AMD-W	94-19-037	388-24-108	REP	94-10-065
359-09-010	AMD	94-06-063	374-50-080	AMD-P	94-18-001	388-24-108	REP	94-10-065
359-09-012	AMD	94-06-063	374-50-080	AMD-W	94-19-037	388-24-109	REP-P	94-07-114
359-09-015	AMD	94-06-063	374-50-090	AMD-P	94-18-001	388-24-109	REP	94-10-065
359-09-020	AMD	94-06-063	374-50-090	AMD-W	94-19-037	388-24-111	AMD	94-04-034
359-09-030	AMD	94-06-063	388-11	PREP	94-15-084	388-24-111	REP-P	94-07-114
359-09-040	AMD	94-06-063	388-11-065	AMD-P	94-07-081	388-24-111	REP	94-10-065
359-09-050	AMD	94-06-063	388-11-065	AMD	94-10-033	388-24-125	REP-P	94-07-114
359-09-070	NEW-W	94-13-090	388-11-067	NEW-P	94-07-081	388-24-125	REP	94-10-065
359-39	NEW-C	94-10-009	388-11-067	NEW	94-10-033	388-24-200	REP-P	94-07-114
359-39	PREP	94-19-089	388-11-205	AMD-P	94-07-041	388-24-200	REP	94-10-065
359-39	AMD-P	94-20-115	388-11-205	AMD-E	94-07-042	388-24-207	REP-P	94-07-114
359-39	AMD	94-23-136	388-11-205	AMD	94-10-064	388-24-207	REP	94-10-065
359-39-010	NEW-P	94-06-065	388-14	PREP	94-15-084	388-24-207	REP	94-10-065
359-39-010	NEW	94-13-091	388-14-205	AMD-P	94-11-112	388-24-207	NEW-P	94-13-008
359-39-020	NEW-P	94-06-065	388-14-205	AMD	94-15-046	388-24-210	NEW-E	94-12-009
359-39-020	NEW	94-13-091	388-14-300	AMD-P	94-11-112	388-24-210	NEW	94-16-044
359-39-030	NEW-P	94-06-065	388-14-300	AMD	94-15-046	388-24-210	REP-P	94-07-114
						388-24-210	REP	94-10-065
						388-24-210	NEW-P	94-13-008
						388-24-210	NEW-E	94-12-009
						388-24-210	NEW	94-16-044

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-24-215	REP-P	94-07-114	388-28-360	REP-P	94-07-114	388-28-500	REP	94-10-065
388-24-215	REP	94-10-065	388-28-360	REP	94-10-065	388-28-515	REP-P	94-07-114
388-24-2150	NEW-P	94-13-008	388-28-365	REP-P	94-07-114	388-28-515	REP	94-10-065
388-24-2150	NEW-E	94-12-009	388-28-365	REP	94-10-065	388-28-520	REP-P	94-07-114
388-24-2150	NEW	94-16-044	388-28-370	REP	94-04-043	388-28-520	REP	94-10-065
388-24-220	REP-P	94-07-114	388-28-370	REP-P	94-07-114	388-28-530	AMD-P	94-05-016
388-24-220	REP	94-10-065	388-28-370	REP	94-10-065	388-28-530	REP-P	94-07-114
388-24-2200	NEW-P	94-13-008	388-28-380	REP-P	94-07-114	388-28-530	AMD	94-08-016
388-24-2200	NEW-E	94-12-009	388-28-380	REP	94-10-065	388-28-530	REP	94-10-065
388-24-2200	NEW	94-16-044	388-28-385	REP-P	94-07-114	388-28-532	REP-P	94-07-114
388-24-225	REP-P	94-07-114	388-28-385	REP	94-10-065	388-28-532	REP	94-10-065
388-24-225	REP	94-10-065	388-28-390	AMD-P	94-05-069	388-28-535	REP-P	94-07-114
388-24-2250	NEW-P	94-13-008	388-28-390	REP-P	94-07-114	388-28-535	REP	94-10-065
388-24-2250	NEW-E	94-12-009	388-28-390	AMD	94-08-015	388-28-555	REP-P	94-07-114
388-24-2250	NEW	94-16-044	388-28-390	REP	94-10-065	388-28-555	REP	94-10-065
388-24-235	REP-P	94-07-114	388-28-392	REP-P	94-07-114	388-28-560	AMD-P	94-05-019
388-24-235	REP	94-10-065	388-28-392	REP	94-10-065	388-28-560	REP-P	94-07-114
388-24-2350	NEW-P	94-13-008	388-28-400	REP-P	94-07-114	388-28-560	AMD	94-08-019
388-24-2350	NEW-E	94-12-009	388-28-400	REP	94-10-065	388-28-560	REP	94-10-065
388-24-2350	NEW	94-16-044	388-28-410	REP-P	94-07-114	388-28-570	REP-P	94-07-114
388-24-243	REP-P	94-07-114	388-28-410	REP	94-10-065	388-28-570	REP	94-10-065
388-24-243	REP	94-10-065	388-28-415	REP-P	94-07-114	388-28-575	AMD-P	94-05-054
388-24-2430	NEW-P	94-13-008	388-28-415	REP	94-10-065	388-28-575	REP-P	94-07-114
388-24-2430	NEW-E	94-12-009	388-28-420	REP-P	94-07-114	388-28-575	AMD	94-08-021
388-24-2430	NEW	94-16-044	388-28-420	REP	94-10-065	388-28-575	REP	94-10-065
388-24-250	REP-P	94-03-051	388-28-425	REP-P	94-07-114	388-28-578	REP-P	94-07-114
388-24-250	REP	94-06-026	388-28-425	REP	94-10-065	388-28-578	REP	94-10-065
388-24-252	REP-P	94-03-051	388-28-435	REP-P	94-07-114	388-28-580	REP-P	94-07-114
388-24-252	REP	94-06-026	388-28-435	REP	94-10-065	388-28-580	REP	94-10-065
388-24-253	REP-P	94-03-051	388-28-438	REP-P	94-07-114	388-28-590	REP-P	94-07-114
388-24-253	REP	94-06-026	388-28-438	REP	94-10-065	388-28-590	REP	94-10-065
388-24-254	REP-P	94-03-051	388-28-439	AMD-P	94-03-055	388-28-600	AMD-P	94-04-042
388-24-254	REP	94-06-026	388-28-439	AMD	94-06-024	388-28-600	REP-P	94-07-114
388-24-255	REP-P	94-03-051	388-28-439	REP-P	94-07-114	388-28-600	AMD	94-08-022
388-24-255	REP	94-06-026	388-28-439	REP	94-10-065	388-28-600	REP	94-10-065
388-24-260	REP-P	94-03-051	388-28-440	REP-P	94-07-114	388-28-650	REP-P	94-07-114
388-24-260	REP	94-06-026	388-28-440	REP	94-10-065	388-28-650	REP	94-10-065
388-24-265	REP-P	94-03-051	388-28-450	REP-P	94-07-114	388-29-001	REP-P	94-06-035
388-24-265	REP	94-06-026	388-28-450	REP	94-10-065	388-29-001	REP	94-09-001
388-24-550	REP-P	94-07-114	388-28-457	REP	94-04-043	388-29-005	REP-P	94-06-035
388-24-550	REP	94-10-065	388-28-458	REP	94-04-043	388-29-005	REP	94-09-001
388-26-025	REP-P	94-07-114	388-28-459	REP	94-04-043	388-29-010	REP-P	94-06-035
388-26-025	REP	94-10-065	388-28-460	REP	94-04-043	388-29-010	REP	94-09-001
388-26-040	REP-P	94-07-114	388-28-461	REP	94-04-043	388-29-020	REP-P	94-06-035
388-26-040	REP	94-10-065	388-28-462	REP	94-04-043	388-29-020	REP	94-09-001
388-26-050	REP-P	94-07-114	388-28-463	REP	94-04-043	388-29-080	REP-P	94-06-035
388-26-050	REP	94-10-065	388-28-464	REP	94-04-043	388-29-080	REP	94-09-001
388-26-055	REP-P	94-07-114	388-28-465	REP	94-04-043	388-29-100	REP-P	94-06-035
388-26-055	REP	94-10-065	388-28-470	REP	94-04-043	388-29-100	REP	94-09-001
388-26-060	REP-P	94-07-114	388-28-471	REP	94-04-043	388-29-110	REP-P	94-06-035
388-26-060	REP	94-10-065	388-28-472	REP	94-04-043	388-29-110	REP	94-09-001
388-26-065	REP-P	94-07-114	388-28-473	REP	94-04-043	388-29-112	REP-P	94-06-035
388-26-065	REP	94-10-065	388-28-474	AMD-P	94-05-018	388-29-112	REP	94-09-001
388-26-070	REP-P	94-07-114	388-28-474	REP-P	94-07-114	388-29-125	REP-P	94-06-035
388-26-070	REP	94-10-065	388-28-474	AMD	94-08-018	388-29-125	REP	94-09-001
388-26-080	REP-P	94-07-114	388-28-474	REP	94-10-065	388-29-130	REP-P	94-06-035
388-26-080	REP	94-10-065	388-28-475	REP-P	94-07-114	388-29-130	REP	94-09-001
388-26-105	REP-P	94-07-114	388-28-475	REP	94-10-065	388-29-150	REP-P	94-06-035
388-26-105	REP	94-10-065	388-28-480	REP-P	94-07-114	388-29-150	REP	94-09-001
388-26-120	REP-P	94-07-114	388-28-480	REP	94-10-065	388-29-160	REP-P	94-06-035
388-26-120	REP	94-10-065	388-28-481	REP-P	94-07-114	388-29-160	REP	94-09-001
388-26-145	REP-P	94-07-114	388-28-481	REP	94-10-065	388-29-180	REP-P	94-06-035
388-26-145	REP	94-10-065	388-28-482	REP-P	94-07-114	388-29-180	REP	94-09-001
388-26-149	REP-P	94-07-114	388-28-482	REP	94-10-065	388-29-200	REP-P	94-06-035
388-26-149	REP	94-10-065	388-28-483	REP-P	94-07-114	388-29-200	REP	94-09-001
388-28-005	REP-P	94-07-114	388-28-483	REP	94-10-065	388-29-210	REP-P	94-06-035
388-28-005	REP	94-10-065	388-28-484	AMD-P	94-05-029	388-29-210	REP	94-09-001
388-28-300	REP-P	94-07-114	388-28-484	REP-P	94-07-114	388-29-220	REP-P	94-06-035
388-28-300	REP	94-10-065	388-28-484	AMD	94-08-020	388-29-220	REP	94-09-001
388-28-350	REP-P	94-07-114	388-28-484	REP	94-10-065	388-29-230	REP-P	94-06-035
388-28-350	REP	94-10-065	388-28-485	REP-P	94-07-114	388-29-230	REP	94-09-001
388-28-355	REP-P	94-07-114	388-28-485	REP	94-10-065	388-29-270	REP-P	94-06-035
388-28-355	REP	94-10-065	388-28-500	REP-P	94-07-114	388-29-270	REP	94-09-001

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-49-190	PREP	94-13-116	388-49-590	AMD-P	94-03-050	388-73-412	REP-P	94-24-073
388-49-190	AMD-P	94-13-132	388-49-590	AMD-C	94-06-027	388-73-414	REP-P	94-24-073
388-49-190	AMD	94-16-039	388-49-590	AMD	94-07-080	388-73-430	REP-P	94-24-073
388-49-190	PREP	94-19-017	388-49-630	PREP	94-15-043	388-73-432	REP-P	94-24-073
388-49-190	AMD-P	95-01-010	388-49-630	AMD-P	94-15-057	388-73-434	REP-P	94-24-073
388-49-210	PREP	94-13-117	388-49-630	AMD	94-17-171	388-73-436	REP-P	94-24-073
388-49-210	AMD-P	94-13-131	388-49-640	PREP	94-20-090	388-73-438	REP-P	94-24-073
388-49-210	AMD	94-16-040	388-49-640	AMD-P	94-21-066	388-73-440	REP-P	94-24-073
388-49-250	PREP	94-19-016	388-49-640	AMD	94-23-131	388-73-510	REP-P	94-24-073
388-49-260	PREP	94-18-105	388-49-670	AMD-P	94-13-024	388-73-511	NEW-P	94-24-073
388-49-260	AMD-P	95-01-011	388-49-670	AMD	94-16-043	388-73-512	REP-P	94-24-073
388-49-330	PREP	94-13-129	388-51-210	PREP	94-20-089	388-73-513	NEW-P	94-24-073
388-49-330	AMD-P	94-15-047	388-51-210	AMD-P	94-24-061	388-73-516	NEW-P	94-24-073
388-49-330	AMD	94-17-175	388-51-220	PREP	94-20-089	388-73-522	NEW-P	94-24-073
388-49-340	AMD-P	94-13-007	388-51-220	NEW-P	94-24-061	388-73-524	NEW-P	94-24-073
388-49-340	AMD	94-18-034	388-51-250	PREP	94-20-089	388-73-606	AMD-P	94-24-073
388-49-360	PREP	94-14-045	388-51-250	AMD-P	94-24-061	388-80-002	REP-P	94-07-114
388-49-360	AMD-P	94-19-074	388-53-010	REP	94-04-036	388-80-002	REP	94-10-065
388-49-360	AMD	94-22-030	388-53-050	REP	94-04-036	388-80-005	REP-P	94-07-114
388-49-380	PREP	94-14-045	388-59-010	REP	94-04-033	388-80-005	REP	94-10-065
388-49-380	AMD-P	94-19-074	388-59-020	REP	94-04-033	388-81-005	REP-P	94-07-114
388-49-380	AMD	94-22-030	388-59-030	REP	94-04-033	388-81-005	REP	94-10-065
388-49-410	AMD-P	94-13-026	388-59-040	REP	94-04-033	388-81-010	REP-P	94-07-114
388-49-410	AMD	94-16-041	388-59-045	REP	94-04-033	388-81-010	REP	94-10-065
388-49-410	PREP	94-18-026	388-59-048	REP	94-04-033	388-81-015	REP-P	94-07-114
388-49-410	AMD-P	94-20-061	388-59-050	REP	94-04-033	388-81-015	REP	94-10-065
388-49-410	AMD-W	94-21-044	388-59-060	REP	94-04-033	388-81-017	REP-P	94-07-114
388-49-420	PREP	94-17-098	388-59-070	REP	94-04-033	388-81-017	REP	94-10-065
388-49-420	AMD-P	94-18-048	388-59-080	REP	94-04-033	388-81-020	REP-P	94-07-114
388-49-420	AMD-W	94-21-044	388-59-090	REP	94-04-033	388-81-020	REP	94-10-065
388-49-430	AMD-P	94-13-026	388-59-100	REP	94-04-033	388-81-025	REP-P	94-07-114
388-49-430	AMD	94-16-041	388-73	PREP	94-16-021	388-81-025	REP	94-10-065
388-49-430	PREP	94-18-026	388-73	PREP	94-16-028	388-81-030	REP-P	94-07-114
388-49-430	AMD-P	94-20-061	388-73-010	AMD-P	94-24-073	388-81-030	REP	94-10-065
388-49-430	AMD-W	94-21-044	388-73-012	AMD-P	94-24-073	388-81-035	REP-P	94-07-114
388-49-450	PREP	94-17-129	388-73-014	AMD-P	94-24-073	388-81-035	REP	94-10-065
388-49-450	AMD-P	94-19-040	388-73-01950	AMD-P	94-24-073	388-81-038	REP-P	94-07-114
388-49-450	AMD	94-22-032	388-73-036	AMD-P	94-24-073	388-81-038	REP	94-10-065
388-49-460	PREP	94-13-114	388-73-054	AMD-P	94-24-073	388-81-040	REP-P	94-07-114
388-49-460	AMD-P	94-13-130	388-73-074	AMD-P	94-24-073	388-81-040	REP	94-10-065
388-49-460	AMD	94-16-042	388-73-076	AMD-P	94-24-073	388-81-042	REP-P	94-07-114
388-49-460	PREP	94-17-160	388-73-118	AMD-P	94-24-073	388-81-042	REP	94-10-065
388-49-460	AMD-P	94-19-039	388-73-144	AMD-P	94-24-073	388-81-043	REP-P	94-07-114
388-49-460	AMD	94-22-033	388-73-146	AMD-P	94-24-073	388-81-043	REP	94-10-065
388-49-470	AMD-P	94-12-003	388-73-200	AMD-P	94-24-073	388-81-044	REP-P	94-07-114
388-49-470	AMD	94-16-074	388-73-212	AMD-P	94-24-073	388-81-044	REP	94-10-065
388-49-470	PREP	94-18-025	388-73-213	REP-P	94-24-073	388-81-047	REP-P	94-07-114
388-49-470	AMD-P	94-19-038	388-73-214	REP-P	94-24-073	388-81-047	REP	94-10-065
388-49-470	AMD	94-22-029	388-73-216	REP-P	94-24-073	388-81-050	REP-P	94-07-114
388-49-500	AMD-P	94-07-031	388-73-250	NEW-P	94-24-073	388-81-050	REP	94-10-065
388-49-500	AMD	94-12-042	388-73-252	NEW-P	94-24-073	388-81-052	REP-P	94-07-114
388-49-500	PREP	94-17-064	388-73-254	NEW-P	94-24-073	388-81-052	REP	94-10-065
388-49-500	AMD-P	94-17-079	388-73-256	NEW-P	94-24-073	388-81-055	REP-P	94-07-114
388-49-500	AMD-E	94-17-080	388-73-258	NEW-P	94-24-073	388-81-055	REP	94-10-065
388-49-500	AMD	94-20-041	388-73-260	NEW-P	94-24-073	388-81-060	REP-P	94-07-114
388-49-500	PREP	94-22-010	388-73-262	NEW-P	94-24-073	388-81-060	REP	94-10-065
388-49-500	AMD-E	94-22-044	388-73-264	NEW-P	94-24-073	388-81-065	REP-P	94-07-114
388-49-500	AMD-P	94-22-045	388-73-266	NEW-P	94-24-073	388-81-065	REP-E	94-08-045
388-49-505	PREP	94-13-194	388-73-268	NEW-P	94-24-073	388-81-065	REP-P	94-08-046
388-49-505	AMD-P	94-15-048	388-73-270	NEW-P	94-24-073	388-81-065	REP	94-10-065
388-49-505	AMD	94-17-174	388-73-272	NEW-P	94-24-073	388-81-065	REP-W	94-11-058
388-49-510	PREP	94-17-016	388-73-274	NEW-P	94-24-073	388-81-065	RESCIND	94-11-061
388-49-510	AMD-P	94-17-133	388-73-276	NEW-P	94-24-073	388-81-070	REP-P	94-07-114
388-49-510	AMD	94-20-045	388-73-278	NEW-P	94-24-073	388-81-070	REP	94-10-065
388-49-510	AMD-E	94-20-046	388-73-304	AMD-P	94-24-073	388-81-100	REP-P	94-07-114
388-49-535	AMD-P	94-03-041	388-73-400	REP-P	94-24-073	388-81-100	REP	94-10-065
388-49-535	AMD-W	94-06-023	388-73-402	REP-P	94-24-073	388-81-175	REP-P	94-07-114
388-49-550	AMD-P	94-12-083	388-73-403	REP-P	94-24-073	388-81-175	REP-W	94-20-094
388-49-550	AMD	94-16-045	388-73-404	REP-P	94-24-073	388-81-200	REP-P	94-07-114
388-49-550	PREP	94-17-161	388-73-406	REP-P	94-24-073	388-81-200	REP-W	94-20-094
388-49-550	AMD-P	94-18-037	388-73-408	REP-P	94-24-073	388-82-006	REP-P	94-07-114
388-49-550	AMD-E	94-20-044	388-73-409	REP-P	94-24-073	388-82-006	REP	94-10-065
388-49-550	AMD	94-21-041	388-73-410	REP-P	94-24-073	388-82-008	REP-P	94-07-114

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-82-008	REP	94-10-065	388-83-046	REP-P	94-07-114	388-88-082	REP-P	94-18-012
388-82-010	REP-P	94-07-114	388-83-046	REP	94-10-065	388-88-082	REP-E	94-21-034
388-82-010	REP	94-10-065	388-83-130	REP-P	94-07-114	388-88-082	REP	94-21-037
388-82-115	REP-P	94-07-114	388-83-130	REP	94-10-065	388-88-095	REP-P	94-18-012
388-82-115	REP	94-10-065	388-83-200	REP-P	94-07-114	388-88-095	REP-E	94-21-034
388-82-126	REP-P	94-07-114	388-83-200	REP	94-10-065	388-88-095	REP	94-21-037
388-82-126	REP	94-10-065	388-83-210	REP-P	94-07-114	388-88-096	REP-P	94-18-012
388-82-130	REP-P	94-07-114	388-83-210	REP	94-10-065	388-88-096	REP-E	94-21-034
388-82-130	REP	94-10-065	388-83-220	REP-P	94-07-114	388-88-096	REP	94-21-037
388-82-135	REP-P	94-07-114	388-83-220	REP	94-10-065	388-88-097	REP-P	94-18-012
388-82-135	REP	94-10-065	388-84-105	REP-P	94-07-114	388-88-097	REP-E	94-21-034
388-82-140	REP-P	94-07-114	388-84-105	REP	94-10-065	388-88-097	REP	94-21-037
388-82-140	AMD-E	94-08-043	388-84-110	REP-P	94-07-114	388-88-098	REP-P	94-18-012
388-82-140	AMD-P	94-08-044	388-84-110	REP	94-10-065	388-88-098	REP-E	94-21-034
388-82-140	REP	94-10-065	388-84-115	AMD-P	94-05-026	388-88-098	REP	94-21-037
388-82-140	REP-W	94-11-059	388-84-115	REP-P	94-07-114	388-88-105	REP-P	94-18-012
388-82-140	RESCIND	94-11-063	388-84-115	AMD	94-07-132	388-88-105	REP-E	94-21-034
388-82-150	REP-P	94-07-114	388-84-115	REP	94-10-065	388-88-105	REP	94-21-037
388-82-150	AMD-E	94-08-043	388-84-120	REP-P	94-07-114	388-88-110	REP-P	94-18-012
388-82-150	AMD-P	94-08-044	388-84-120	REP	94-10-065	388-88-110	REP-E	94-21-034
388-82-150	REP	94-10-065	388-85-105	REP-P	94-07-114	388-88-110	REP	94-21-037
388-82-150	AMD-W	94-11-059	388-85-105	REP	94-10-065	388-88-115	REP-P	94-18-012
388-82-150	RESCIND	94-11-063	388-85-110	REP-P	94-07-114	388-88-115	REP-E	94-21-034
388-82-160	REP-P	94-07-114	388-85-110	REP	94-10-065	388-88-115	REP	94-21-037
388-82-160	AMD-E	94-08-043	388-85-115	REP-P	94-07-114	388-88-119	REP-P	94-18-012
388-82-160	AMD-P	94-08-044	388-85-115	REP	94-10-065	388-88-119	REP-E	94-21-034
388-82-160	REP	94-10-065	388-86	PREP	94-18-024	388-88-119	REP	94-21-037
388-82-160	AMD-W	94-11-059	388-86-030	AMD-C	94-04-031	388-88-125	REP-P	94-18-012
388-82-160	RESCIND	94-11-063	388-86-030	AMD-C	94-05-044	388-88-125	REP-E	94-21-034
388-83-005	REP-P	94-07-114	388-86-030	AMD-C	94-07-021	388-88-125	REP	94-21-037
388-83-005	REP	94-10-065	388-86-030	AMD	94-07-122	388-88-135	REP-P	94-18-012
388-83-006	REP-P	94-07-114	388-86-030	PREP	94-16-098	388-88-135	REP-E	94-21-034
388-83-006	REP	94-10-065	388-86-040	REP-C	94-05-043	388-88-135	REP	94-21-037
388-83-010	REP-P	94-07-114	388-86-040	REP	94-07-022	388-88-150	REP-P	94-18-012
388-83-010	REP	94-10-065	388-86-04001	NEW-C	94-05-043	388-88-150	REP-E	94-21-034
388-83-012	REP-P	94-07-114	388-86-04001	NEW	94-07-022	388-88-150	REP	94-21-037
388-83-012	REP	94-10-065	388-86-04001	PREP	94-17-065	388-88-155	REP-P	94-18-012
388-83-013	REP-P	94-07-114	388-86-045	AMD	94-03-052	388-88-155	REP-E	94-21-034
388-83-013	REP	94-10-065	388-86-050	PREP	94-16-030	388-88-155	REP	94-21-037
388-83-014	REP-P	94-07-114	388-86-059	PREP	94-21-009	388-88-170	REP-P	94-18-012
388-83-014	REP	94-10-065	388-86-073	AMD-P	94-04-022	388-88-170	REP-E	94-21-034
388-83-015	REP-P	94-07-114	388-86-073	AMD-E	94-04-023	388-88-170	REP	94-21-037
388-83-015	REP	94-10-065	388-86-073	AMD	94-07-030	388-88-180	REP-P	94-18-012
388-83-017	REP-P	94-07-114	388-86-082	PREP	94-13-105	388-88-180	REP-E	94-21-034
388-83-017	REP	94-10-065	388-86-090	AMD-P	94-04-022	388-88-180	REP	94-21-037
388-83-020	REP-P	94-07-114	388-86-090	AMD-E	94-04-023	388-88-190	REP-P	94-18-012
388-83-020	REP	94-10-065	388-86-090	AMD	94-07-030	388-88-190	REP-E	94-21-034
388-83-025	REP-P	94-07-114	388-86-095	PREP	94-16-099	388-88-190	REP	94-21-037
388-83-025	REP	94-10-065	388-86-098	AMD-P	94-04-022	388-92-005	REP-P	94-07-114
388-83-026	REP-P	94-07-114	388-86-098	AMD-E	94-04-023	388-92-005	REP	94-10-065
388-83-026	REP	94-10-065	388-86-098	AMD	94-07-030	388-92-015	REP-P	94-07-114
388-83-029	REP-P	94-07-114	388-86-100	PREP	94-16-097	388-92-015	REP	94-10-065
388-83-029	REP	94-10-065	388-87	PREP	94-18-024	388-92-025	REP-P	94-07-114
388-83-031	REP-P	94-07-114	388-87-072	PREP	94-22-002	388-92-025	REP	94-10-065
388-83-031	REP	94-10-065	388-87-072	AMD-P	95-01-063	388-92-027	REP-P	94-07-114
388-83-03101	REP-P	94-07-114	388-87-300	REP-E	94-08-045	388-92-027	REP	94-10-065
388-83-03101	REP	94-10-065	388-87-300	REP-P	94-08-046	388-92-030	REP-P	94-07-114
388-83-032	REP-P	94-07-114	388-87-300	REP	94-11-057	388-92-030	REP	94-10-065
388-83-032	AMD-E	94-08-043	388-88-001	REP-P	94-18-012	388-92-034	REP-P	94-07-114
388-83-032	AMD-P	94-08-044	388-88-001	REP-E	94-21-034	388-92-034	REP	94-10-065
388-83-032	REP	94-10-065	388-88-001	REP	94-21-037	388-92-036	REP-P	94-07-114
388-83-032	AMD-W	94-11-059	388-88-010	REP-P	94-18-012	388-92-036	AMD-E	94-08-041
388-83-032	RESCIND	94-11-063	388-88-010	REP-E	94-21-034	388-92-036	AMD-P	94-08-042
388-83-033	REP-P	94-07-114	388-88-010	REP	94-21-037	388-92-036	REP	94-10-065
388-83-033	AMD-E	94-08-043	388-88-050	REP-P	94-18-012	388-92-036	AMD-W	94-11-060
388-83-033	AMD-P	94-08-044	388-88-050	REP-E	94-21-034	388-92-036	RESCIND	94-11-062
388-83-033	REP	94-10-065	388-88-050	REP	94-21-037	388-92-040	REP-P	94-07-114
388-83-033	AMD-W	94-11-059	388-88-075	REP-P	94-18-012	388-92-040	REP	94-10-065
388-83-033	RESCIND	94-11-063	388-88-075	REP-E	94-21-034	388-92-041	AMD-E	94-05-027
388-83-036	REP-P	94-07-114	388-88-075	REP	94-21-037	388-92-041	AMD-P	94-05-028
388-83-036	REP	94-10-065	388-88-081	REP-P	94-18-012	388-92-041	REP-P	94-07-114
388-83-041	REP-P	94-07-114	388-88-081	REP-E	94-21-034	388-92-041	AMD	94-07-131
388-83-041	REP	94-10-065	388-88-081	REP	94-21-037	388-92-041	REP	94-10-065

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-92-045	REP-P	94-07-114	388-96-217	AMD	94-12-043	388-97-045	NEW-P	94-13-052
388-92-045	REP	94-10-065	388-96-221	AMD-P	94-07-109	388-97-045	NEW	94-19-041
388-92-050	REP-P	94-07-114	388-96-221	AMD	94-12-043	388-97-050	NEW-P	94-13-052
388-92-050	REP	94-10-065	388-96-226	AMD-P	94-07-109	388-97-050	NEW	94-19-041
388-93-005	REP-P	94-07-114	388-96-226	AMD	94-12-043	388-97-055	NEW-P	94-13-052
388-93-005	REP	94-10-065	388-96-228	AMD-P	94-07-109	388-97-055	NEW	94-19-041
388-93-010	REP-P	94-07-114	388-96-228	AMD	94-12-043	388-97-060	NEW-P	94-13-052
388-93-010	REP	94-10-065	388-96-525	AMD-P	94-07-109	388-97-060	NEW	94-19-041
388-93-015	REP-P	94-07-114	388-96-525	AMD	94-12-043	388-97-065	NEW-P	94-13-052
388-93-015	REP	94-10-065	388-96-533	AMD-P	94-07-109	388-97-065	NEW	94-19-041
388-93-020	REP-P	94-07-114	388-96-533	AMD	94-12-043	388-97-070	NEW-P	94-13-052
388-93-020	REP	94-10-065	388-96-534	AMD-P	94-07-109	388-97-070	NEW	94-19-041
388-93-025	REP-P	94-07-114	388-96-534	AMD	94-12-043	388-97-075	NEW-P	94-13-052
388-93-025	REP	94-10-065	388-96-559	AMD-P	94-07-109	388-97-075	NEW	94-19-041
388-93-030	REP-P	94-07-114	388-96-559	AMD	94-12-043	388-97-080	NEW-P	94-13-052
388-93-030	REP	94-10-065	388-96-565	AMD-P	94-07-109	388-97-080	NEW	94-19-041
388-93-035	REP-P	94-07-114	388-96-565	AMD	94-12-043	388-97-085	NEW-P	94-13-052
388-93-035	REP	94-10-065	388-96-585	AMD-P	94-07-109	388-97-085	NEW	94-19-041
388-93-040	REP-P	94-07-114	388-96-585	AMD	94-12-043	388-97-090	NEW-P	94-13-052
388-93-040	REP	94-10-065	388-96-704	AMD-P	94-07-109	388-97-090	NEW	94-19-041
388-93-045	REP-P	94-07-114	388-96-704	AMD	94-12-043	388-97-095	NEW-P	94-13-052
388-93-045	REP	94-10-065	388-96-707	REP-P	94-07-109	388-97-095	NEW	94-19-041
388-93-050	REP-P	94-07-114	388-96-707	REP	94-12-043	388-97-100	NEW-P	94-13-052
388-93-050	REP	94-10-065	388-96-709	AMD-P	94-07-109	388-97-100	NEW	94-19-041
388-93-055	REP-P	94-07-114	388-96-709	AMD	94-12-043	388-97-105	NEW-P	94-13-052
388-93-055	REP	94-10-065	388-96-710	AMD-P	94-07-109	388-97-105	NEW	94-19-041
388-93-060	REP-P	94-07-114	388-96-710	AMD	94-12-043	388-97-110	NEW-P	94-13-052
388-93-060	REP	94-10-065	388-96-719	AMD-P	94-07-109	388-97-110	NEW	94-19-041
388-93-065	REP-P	94-07-114	388-96-719	AMD	94-12-043	388-97-115	NEW-P	94-13-052
388-93-065	REP	94-10-065	388-96-721	REP-P	94-07-109	388-97-115	NEW	94-19-041
388-93-075	REP-P	94-07-114	388-96-721	REP	94-12-043	388-97-120	NEW-P	94-13-052
388-93-075	REP	94-10-065	388-96-722	AMD-P	94-07-109	388-97-120	NEW	94-19-041
388-93-080	REP-P	94-07-114	388-96-722	AMD	94-12-043	388-97-125	NEW-P	94-13-052
388-93-080	REP	94-10-065	388-96-727	AMD-P	94-07-109	388-97-125	NEW	94-19-041
388-95-300	REP-P	94-07-114	388-96-727	AMD	94-12-043	388-97-130	NEW-P	94-13-052
388-95-300	REP	94-10-065	388-96-735	AMD-P	94-07-109	388-97-130	NEW	94-19-041
388-95-310	REP-P	94-07-114	388-96-735	AMD	94-12-043	388-97-135	NEW-P	94-13-052
388-95-310	REP	94-10-065	388-96-737	AMD-P	94-07-109	388-97-135	NEW	94-19-041
388-95-320	REP-P	94-07-114	388-96-737	AMD	94-12-043	388-97-140	NEW-P	94-13-052
388-95-320	REP	94-10-065	388-96-745	AMD-P	94-07-109	388-97-140	NEW	94-19-041
388-95-335	REP-P	94-07-114	388-96-745	AMD	94-12-043	388-97-145	NEW-P	94-13-052
388-95-335	REP	94-10-065	388-96-753	NEW-P	94-07-109	388-97-145	NEW	94-19-041
388-95-337	AMD-P	94-05-025	388-96-753	NEW	94-12-043	388-97-150	NEW-P	94-13-052
388-95-337	REP-P	94-07-114	388-96-754	AMD-P	94-07-109	388-97-150	NEW	94-19-041
388-95-337	AMD	94-07-130	388-96-754	AMD	94-12-043	388-97-155	NEW-P	94-13-052
388-95-337	REP	94-10-065	388-96-763	AMD-P	94-07-109	388-97-155	NEW	94-19-041
388-95-340	REP-P	94-07-114	388-96-763	AMD	94-12-043	388-97-160	NEW-P	94-13-052
388-95-340	AMD-E	94-08-041	388-96-774	AMD-P	94-07-109	388-97-160	NEW	94-19-041
388-95-340	AMD-P	94-08-042	388-96-774	AMD	94-12-043	388-97-165	NEW-P	94-13-052
388-95-340	REP	94-10-065	388-96-774	AMD	94-14-016	388-97-165	NEW	94-19-041
388-95-340	AMD-W	94-11-060	388-96-776	NEW-P	94-07-109	388-97-170	NEW-P	94-13-052
388-95-340	RESCIND	94-11-062	388-96-776	NEW	94-12-043	388-97-170	NEW	94-19-041
388-95-360	REP-P	94-07-114	388-96-777	NEW-P	94-07-109	388-97-175	NEW-P	94-13-052
388-95-360	AMD-E	94-08-043	388-96-777	NEW	94-12-043	388-97-175	NEW	94-19-041
388-95-360	AMD-P	94-08-044	388-96-904	AMD-P	94-07-109	388-97-180	NEW-P	94-13-052
388-95-360	REP	94-10-065	388-96-904	AMD	94-12-043	388-97-180	NEW	94-19-041
388-95-360	AMD-W	94-11-059	388-97	NEW-C	94-18-010	388-97-185	NEW-P	94-13-052
388-95-360	RESCIND	94-11-063	388-97-005	NEW-P	94-13-052	388-97-185	NEW	94-19-041
388-95-380	REP-P	94-07-114	388-97-005	NEW	94-19-041	388-97-190	NEW-P	94-13-052
388-95-380	REP	94-10-065	388-97-010	NEW-P	94-13-052	388-97-190	NEW	94-19-041
388-95-390	REP-P	94-07-114	388-97-010	NEW	94-19-041	388-97-195	NEW-P	94-13-052
388-95-390	REP	94-10-065	388-97-015	NEW-P	94-13-052	388-97-195	NEW	94-19-041
388-95-395	REP-P	94-07-114	388-97-015	NEW	94-19-041	388-97-200	NEW	94-19-041
388-95-395	REP	94-10-065	388-97-020	NEW-P	94-13-052	388-97-205	NEW-P	94-13-052
388-95-400	REP-P	94-07-114	388-97-020	NEW	94-19-041	388-97-205	NEW	94-19-041
388-95-400	REP	94-10-065	388-97-025	NEW-P	94-13-052	388-97-210	NEW-P	94-13-052
388-96-010	AMD-P	94-07-109	388-97-025	NEW	94-19-041	388-97-210	NEW	94-19-041
388-96-010	AMD	94-12-043	388-97-030	NEW-P	94-13-052	388-97-215	NEW	94-19-041
388-96-113	AMD-P	94-07-109	388-97-030	NEW	94-19-041	388-97-220	NEW-P	94-13-052
388-96-113	AMD	94-12-043	388-97-035	NEW-P	94-13-052	388-97-220	NEW	94-19-041
388-96-134	AMD-P	94-07-109	388-97-035	NEW	94-19-041	388-97-225	NEW-P	94-13-052
388-96-134	AMD	94-12-043	388-97-040	NEW-P	94-13-052	388-97-225	NEW	94-19-041
388-96-217	AMD-P	94-07-109	388-97-040	NEW	94-19-041	388-97-230	NEW-P	94-13-052

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-97-230	NEW	94-19-041	388-97-415	NEW-P	94-13-052	388-150-090	AMD	94-13-201
388-97-235	NEW-P	94-13-052	388-97-415	NEW	94-19-041	388-150-460	AMD-P	94-11-111
388-97-235	NEW	94-19-041	388-97-420	NEW-P	94-13-052	388-150-460	AMD	94-13-201
388-97-240	NEW-P	94-13-052	388-97-420	NEW	94-19-041	388-155	PREP	94-21-065
388-97-240	NEW	94-19-041	388-97-425	NEW-P	94-13-052	388-155-005	AMD-P	94-11-111
388-97-245	NEW-P	94-13-052	388-97-425	NEW	94-19-041	388-155-005	AMD	94-13-201
388-97-245	NEW	94-19-041	388-97-430	NEW-P	94-13-052	388-155-020	AMD-P	94-11-111
388-97-250	NEW-P	94-13-052	388-97-430	NEW	94-19-041	388-155-020	AMD	94-13-201
388-97-250	NEW	94-19-041	388-97-435	NEW-P	94-13-052	388-155-090	AMD-P	94-11-111
388-97-255	NEW-P	94-13-052	388-97-435	NEW	94-19-041	388-155-090	AMD	94-13-201
388-97-255	NEW	94-19-041	388-97-440	NEW-P	94-13-052	388-155-460	AMD-P	94-11-111
388-97-260	NEW-P	94-13-052	388-97-440	NEW	94-19-041	388-155-460	AMD	94-13-201
388-97-260	NEW	94-19-041	388-97-445	NEW-P	94-13-052	388-200-1050	NEW-P	94-07-114
388-97-265	NEW-P	94-13-052	388-97-445	NEW	94-19-041	388-200-1050	NEW	94-10-065
388-97-265	NEW	94-19-041	388-97-450	NEW-P	94-13-052	388-200-1050	PREP	94-21-018
388-97-270	NEW-P	94-13-052	388-97-450	NEW	94-19-041	388-200-1050	AMD-P	94-21-067
388-97-270	NEW	94-19-041	388-97-455	NEW-P	94-13-052	388-200-1050	AMD	94-23-128
388-97-275	NEW-P	94-13-052	388-97-455	NEW	94-19-041	388-200-1100	NEW-P	94-07-114
388-97-275	NEW	94-19-041	388-97-460	NEW-P	94-13-052	388-200-1100	NEW	94-10-065
388-97-280	NEW-P	94-13-052	388-97-460	NEW	94-19-041	388-200-1125	PREP	94-18-035
388-97-280	NEW	94-19-041	388-97-465	NEW-P	94-13-052	388-200-1150	NEW-P	94-07-114
388-97-285	NEW-P	94-13-052	388-97-465	NEW	94-19-041	388-200-1150	NEW	94-10-065
388-97-285	NEW-W	94-22-049	388-97-470	NEW-P	94-13-052	388-200-1160	NEW-P	94-07-114
388-97-290	NEW-P	94-13-052	388-97-470	NEW	94-19-041	388-200-1160	NEW	94-10-065
388-97-290	NEW-W	94-22-049	388-97-475	NEW-P	94-13-052	388-200-1200	NEW-P	94-07-114
388-97-295	NEW-P	94-13-052	388-97-475	NEW	94-19-041	388-200-1200	NEW	94-10-065
388-97-295	NEW	94-19-041	388-97-480	NEW-P	94-13-052	388-200-1250	NEW-P	94-07-114
388-97-300	NEW-P	94-13-052	388-97-480	NEW	94-19-041	388-200-1250	NEW	94-10-065
388-97-300	NEW	94-19-041	388-99-005	REP-P	94-07-114	388-210-1000	NEW-P	94-07-114
388-97-305	NEW-P	94-13-052	388-99-005	REP	94-10-065	388-210-1000	NEW	94-10-065
388-97-305	NEW	94-19-041	388-99-010	REP-P	94-07-114	388-210-1010	NEW-P	94-07-114
388-97-310	NEW-P	94-13-052	388-99-010	REP	94-10-065	388-210-1010	NEW	94-10-065
388-97-310	NEW	94-19-041	388-99-011	REP-P	94-07-114	388-210-1020	NEW-P	94-07-114
388-97-315	NEW-P	94-13-052	388-99-011	REP	94-10-065	388-210-1020	NEW	94-10-065
388-97-315	NEW	94-19-041	388-99-015	REP-P	94-07-114	388-210-1050	NEW-P	94-07-114
388-97-320	NEW-P	94-13-052	388-99-015	REP	94-10-065	388-210-1050	NEW	94-10-065
388-97-320	NEW	94-19-041	388-99-020	REP-P	94-07-114	388-210-1100	NEW-P	94-07-114
388-97-325	NEW-P	94-13-052	388-99-020	REP	94-10-065	388-210-1100	NEW	94-10-065
388-97-325	NEW	94-19-041	388-99-030	REP-P	94-07-114	388-210-1200	NEW-P	94-07-114
388-97-330	NEW-P	94-13-052	388-99-030	REP	94-10-065	388-210-1200	NEW	94-10-065
388-97-330	NEW	94-19-041	388-99-035	REP-P	94-07-114	388-210-1220	NEW-P	94-07-114
388-97-335	NEW-P	94-13-052	388-99-035	REP	94-10-065	388-210-1220	NEW	94-10-065
388-97-335	NEW	94-19-041	388-99-036	REP-P	94-07-114	388-210-1230	NEW-P	94-07-114
388-97-340	NEW-P	94-13-052	388-99-036	REP	94-10-065	388-210-1230	NEW	94-10-065
388-97-340	NEW	94-19-041	388-99-040	REP-P	94-07-114	388-210-1250	NEW-P	94-07-114
388-97-345	NEW-P	94-13-052	388-99-040	REP	94-10-065	388-210-1250	NEW	94-10-065
388-97-345	NEW	94-19-041	388-99-050	REP-P	94-07-114	388-210-1300	NEW-P	94-07-114
388-97-350	NEW-P	94-13-052	388-99-050	REP	94-10-065	388-210-1300	NEW	94-10-065
388-97-350	NEW	94-19-041	388-99-055	REP-P	94-07-114	388-210-1310	NEW-P	94-07-114
388-97-355	NEW-P	94-13-052	388-99-055	REP	94-10-065	388-210-1310	NEW	94-10-065
388-97-355	NEW	94-19-041	388-99-060	REP-P	94-07-114	388-210-1320	NEW-P	94-07-114
388-97-360	NEW-P	94-13-052	388-99-060	REP	94-10-065	388-210-1320	NEW	94-10-065
388-97-360	NEW	94-19-041	388-100-001	REP-P	94-07-114	388-210-1330	NEW-P	94-07-114
388-97-365	NEW-P	94-13-052	388-100-001	REP	94-10-065	388-210-1330	NEW	94-10-065
388-97-365	NEW	94-19-041	388-100-005	REP-P	94-07-114	388-210-1340	NEW-P	94-07-114
388-97-370	NEW-P	94-13-052	388-100-005	REP	94-10-065	388-210-1340	NEW	94-10-065
388-97-370	NEW	94-19-041	388-100-010	REP-P	94-07-114	388-210-1350	NEW-P	94-07-114
388-97-375	NEW-P	94-13-052	388-100-010	REP	94-10-065	388-210-1350	NEW	94-10-065
388-97-375	NEW	94-19-041	388-100-015	REP-P	94-07-114	388-210-1400	NEW-P	94-07-114
388-97-380	NEW-P	94-13-052	388-100-015	REP	94-10-065	388-210-1400	NEW	94-10-065
388-97-380	NEW	94-19-041	388-100-020	REP-P	94-07-114	388-210-1410	NEW-P	94-07-114
388-97-385	NEW-P	94-13-052	388-100-020	REP	94-10-065	388-210-1410	NEW	94-10-065
388-97-385	NEW	94-19-041	388-100-025	REP-P	94-07-114	388-210-1420	NEW-P	94-07-114
388-97-390	NEW-P	94-13-052	388-100-025	REP	94-10-065	388-210-1420	NEW	94-10-065
388-97-390	NEW	94-19-041	388-100-030	REP-P	94-07-114	388-212-1000	NEW-P	94-07-114
388-97-395	NEW-P	94-13-052	388-100-030	REP	94-10-065	388-212-1000	NEW	94-10-065
388-97-395	NEW	94-19-041	388-100-035	REP-P	94-07-114	388-212-1050	NEW-P	94-07-114
388-97-400	NEW-P	94-13-052	388-100-035	REP	94-10-065	388-212-1050	NEW	94-10-065
388-97-400	NEW	94-19-041	388-150-005	AMD-P	94-11-111	388-212-1100	NEW-P	94-07-114
388-97-405	NEW-P	94-13-052	388-150-005	AMD	94-13-201	388-212-1100	NEW	94-10-065
388-97-405	NEW	94-19-041	388-150-020	AMD-P	94-11-111	388-212-1140	NEW-P	94-07-114
388-97-410	NEW-P	94-13-052	388-150-020	AMD	94-13-201	388-212-1140	NEW	94-10-065
388-97-410	NEW	94-19-041	388-150-090	AMD-P	94-11-111	388-212-1150	NEW-P	94-07-114

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-212-1150	NEW	94-10-065	388-215-1430	NEW	94-10-065	388-216-2800	NEW	94-10-065
388-212-1200	NEW-P	94-07-114	388-215-1440	NEW-P	94-07-114	388-216-2850	NEW-P	94-07-114
388-212-1200	NEW	94-10-065	388-215-1440	NEW	94-10-065	388-216-2850	NEW	94-10-065
388-212-1250	NEW-P	94-07-114	388-215-1450	NEW-P	94-07-114	388-216-2900	NEW-P	94-07-114
388-212-1250	NEW	94-10-065	388-215-1450	NEW	94-10-065	388-216-2900	NEW	94-10-065
388-215-1000	NEW-P	94-07-114	388-215-1460	NEW-P	94-07-114	388-217-3000	NEW	94-04-043
388-215-1000	NEW	94-10-065	388-215-1460	NEW	94-10-065	388-217-3050	NEW	94-04-043
388-215-1025	NEW-P	94-07-114	388-215-1470	NEW-P	94-07-114	388-217-3100	NEW	94-04-043
388-215-1025	NEW	94-10-065	388-215-1470	NEW	94-10-065	388-217-3150	NEW	94-04-043
388-215-1050	NEW-P	94-07-114	388-215-1480	NEW-P	94-07-114	388-217-3150	AMD-P	94-13-054
388-215-1050	NEW	94-10-065	388-215-1480	NEW	94-10-065	388-217-3150	AMD-E	94-13-055
388-215-1060	NEW-P	94-07-114	388-215-1490	NEW-P	94-07-114	388-217-3150	AMD	94-16-046
388-215-1060	NEW	94-10-065	388-215-1490	NEW	94-10-065	388-217-3200	NEW	94-04-043
388-215-1070	NEW-P	94-07-114	388-215-1500	NEW-P	94-07-114	388-217-3250	NEW	94-04-043
388-215-1070	NEW	94-10-065	388-215-1500	NEW	94-10-065	388-217-3300	NEW	94-04-043
388-215-1080	NEW-P	94-07-114	388-215-1520	NEW-P	94-07-114	388-217-3350	NEW	94-04-043
388-215-1080	NEW	94-10-065	388-215-1520	NEW	94-10-065	388-218-1010	NEW-P	94-07-114
388-215-1100	NEW-P	94-07-114	388-215-1540	NEW-P	94-07-114	388-218-1010	NEW	94-10-065
388-215-1100	NEW	94-10-065	388-215-1540	NEW	94-10-065	388-218-1010	AMD-P	94-13-008
388-215-1100	PREP	94-15-031	388-215-1560	NEW-P	94-07-114	388-218-1010	AMD-E	94-13-009
388-215-1100	AMD-P	94-21-045	388-215-1560	NEW	94-10-065	388-218-1010	AMD	94-16-044
388-215-1100	AMD	94-23-132	388-215-1600	NEW-P	94-07-114	388-218-1050	NEW-P	94-07-114
388-215-1110	NEW-P	94-07-114	388-215-1600	NEW	94-10-065	388-218-1050	NEW	94-10-065
388-215-1110	NEW	94-10-065	388-215-1610	NEW-P	94-07-114	388-218-1050	AMD-P	94-13-008
388-215-1120	NEW-P	94-07-114	388-215-1610	NEW	94-10-065	388-218-1050	AMD-E	94-13-009
388-215-1120	NEW	94-10-065	388-215-1610	PREP	94-17-159	388-218-1050	AMD	94-16-044
388-215-1200	NEW-P	94-07-114	388-215-1610	AMD-E	94-20-088	388-218-1050	PREP	94-23-022
388-215-1200	NEW	94-10-065	388-215-1610	AMD-P	94-20-091	388-218-1050	AMD-P	95-01-027
388-215-1225	NEW-P	94-07-114	388-215-1610	AMD	94-23-040	388-218-1050	AMD-E	95-01-028
388-215-1225	NEW	94-10-065	388-215-1620	NEW-P	94-07-114	388-218-1100	NEW-P	94-07-114
388-215-1230	NEW-P	94-07-114	388-215-1620	NEW	94-10-065	388-218-1100	NEW	94-10-065
388-215-1230	NEW	94-10-065	388-215-1620	PREP	94-17-158	388-218-1110	NEW-P	94-07-114
388-215-1245	NEW-P	94-07-114	388-215-1620	AMD-P	94-19-099	388-218-1110	NEW	94-10-065
388-215-1245	NEW	94-10-065	388-215-1620	AMD	94-22-031	388-218-1120	NEW-P	94-07-114
388-215-1300	NEW-P	94-07-114	388-215-1650	NEW-P	94-07-114	388-218-1120	NEW	94-10-065
388-215-1300	NEW	94-10-065	388-215-1650	NEW	94-10-065	388-218-1130	NEW-P	94-07-114
388-215-1320	NEW-P	94-07-114	388-216-2000	NEW-P	94-07-114	388-218-1130	NEW	94-10-065
388-215-1320	NEW	94-10-065	388-216-2000	NEW	94-10-065	388-218-1130	AMD-P	94-13-008
388-215-1325	NEW-P	94-07-114	388-216-2050	NEW-P	94-07-114	388-218-1130	AMD-E	94-13-009
388-215-1325	NEW	94-10-065	388-216-2050	NEW	94-10-065	388-218-1130	AMD	94-16-044
388-215-1330	NEW-P	94-07-114	388-216-2075	NEW-P	94-07-114	388-218-1140	NEW-P	94-07-114
388-215-1330	NEW	94-10-065	388-216-2075	NEW	94-10-065	388-218-1140	NEW	94-10-065
388-215-1335	NEW-P	94-07-114	388-216-2100	NEW-P	94-07-114	388-218-1200	NEW-P	94-07-114
388-215-1335	NEW	94-10-065	388-216-2100	NEW	94-10-065	388-218-1200	NEW	94-10-065
388-215-1340	NEW-P	94-07-114	388-216-2150	NEW-P	94-07-114	388-218-1200	AMD-P	94-13-008
388-215-1340	NEW	94-10-065	388-216-2150	NEW	94-10-065	388-218-1200	AMD-E	94-13-009
388-215-1345	NEW-P	94-07-114	388-216-2200	NEW-P	94-07-114	388-218-1200	AMD	94-16-044
388-215-1345	NEW	94-10-065	388-216-2200	NEW	94-10-065	388-218-1210	NEW-P	94-07-114
388-215-1350	NEW-P	94-07-114	388-216-2250	NEW-P	94-07-114	388-218-1210	NEW	94-10-065
388-215-1350	NEW	94-10-065	388-216-2250	NEW	94-10-065	388-218-1210	AMD-P	94-13-008
388-215-1355	NEW-P	94-07-114	388-216-2300	NEW-P	94-07-114	388-218-1210	AMD-E	94-13-009
388-215-1355	NEW	94-10-065	388-216-2300	NEW	94-10-065	388-218-1210	AMD	94-16-044
388-215-1360	NEW-P	94-07-114	388-216-2350	NEW-P	94-07-114	388-218-1220	NEW-P	94-07-114
388-215-1360	NEW	94-10-065	388-216-2350	NEW	94-10-065	388-218-1220	NEW	94-10-065
388-215-1365	NEW-P	94-07-114	388-216-2450	NEW-P	94-07-114	388-218-1220	AMD-P	94-13-008
388-215-1365	NEW	94-10-065	388-216-2450	NEW	94-10-065	388-218-1220	AMD-E	94-13-009
388-215-1370	NEW-P	94-07-114	388-216-2500	NEW-P	94-07-114	388-218-1220	AMD	94-16-044
388-215-1370	NEW	94-10-065	388-216-2500	NEW	94-10-065	388-218-1230	NEW-P	94-07-114
388-215-1375	NEW-P	94-07-114	388-216-2550	NEW-P	94-07-114	388-218-1230	NEW	94-10-065
388-215-1375	NEW	94-10-065	388-216-2550	NEW	94-10-065	388-218-1230	AMD-P	94-13-008
388-215-1380	NEW-P	94-07-114	388-216-2560	NEW-P	94-07-114	388-218-1230	AMD-E	94-13-009
388-215-1380	NEW	94-10-065	388-216-2560	NEW	94-10-065	388-218-1230	AMD	94-16-044
388-215-1385	NEW-P	94-07-114	388-216-2570	NEW-P	94-07-114	388-218-1300	NEW-P	94-07-114
388-215-1385	NEW	94-10-065	388-216-2570	NEW	94-10-065	388-218-1300	NEW	94-10-065
388-215-1390	NEW-P	94-07-114	388-216-2580	NEW-P	94-07-114	388-218-1310	NEW-P	94-07-114
388-215-1390	NEW	94-10-065	388-216-2580	NEW	94-10-065	388-218-1310	NEW	94-10-065
388-215-1400	NEW-P	94-07-114	388-216-2590	NEW-P	94-07-114	388-218-1320	NEW-P	94-07-114
388-215-1400	NEW	94-10-065	388-216-2590	NEW	94-10-065	388-218-1320	NEW	94-10-065
388-215-1410	NEW-P	94-07-114	388-216-2600	NEW-P	94-07-114	388-218-1330	NEW-P	94-07-114
388-215-1410	NEW	94-10-065	388-216-2600	NEW	94-10-065	388-218-1330	NEW	94-10-065
388-215-1420	NEW-P	94-07-114	388-216-2650	NEW-P	94-07-114	388-218-1340	NEW-P	94-07-114
388-215-1420	NEW	94-10-065	388-216-2650	NEW	94-10-065	388-218-1340	NEW	94-10-065
388-215-1430	NEW-P	94-07-114	388-216-2800	NEW-P	94-07-114	388-218-1350	NEW-P	94-07-114

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-218-1350	NEW	94-10-065	388-218-1730	NEW	94-10-065	388-225-0190	NEW-P	94-03-051
388-218-1360	NEW-P	94-07-114	388-218-1740	NEW-P	94-07-114	388-225-0190	NEW	94-06-026
388-218-1360	NEW	94-10-065	388-218-1740	NEW	94-10-065	388-225-0300	NEW-P	94-03-051
388-218-1400	NEW-P	94-07-114	388-218-1800	NEW-P	94-07-114	388-225-0300	NEW	94-06-026
388-218-1400	NEW	94-10-065	388-218-1800	NEW	94-10-065	388-230-0090	AMD-P	94-13-008
388-218-1400	PREP	94-23-022	388-218-1810	NEW-P	94-07-114	388-230-0090	AMD-E	94-13-009
388-218-1400	AMD-P	95-01-027	388-218-1810	NEW	94-10-065	388-230-0090	AMD	94-16-044
388-218-1400	AMD-E	95-01-028	388-218-1820	NEW-P	94-07-114	388-233	PREP	95-01-060
388-218-1410	NEW-P	94-07-114	388-218-1820	NEW	94-10-065	388-233-0060	AMD-P	94-13-008
388-218-1410	NEW	94-10-065	388-218-1830	NEW-P	94-07-114	388-233-0060	AMD-E	94-13-009
388-218-1420	NEW-P	94-07-114	388-218-1830	NEW	94-10-065	388-233-0060	AMD	94-16-044
388-218-1420	NEW	94-10-065	388-218-1900	NEW-P	94-07-114	388-233-0070	AMD-P	94-13-008
388-218-1430	NEW-P	94-07-114	388-218-1900	NEW	94-10-065	388-233-0070	AMD-E	94-13-009
388-218-1430	NEW	94-10-065	388-218-1910	NEW-P	94-07-114	388-233-0070	AMD	94-16-044
388-218-1440	NEW-P	94-07-114	388-218-1910	NEW	94-10-065	388-233-0070	AMD-P	94-13-008
388-218-1440	NEW	94-10-065	388-218-1920	NEW-P	94-07-114	388-235-0070	AMD-E	94-13-009
388-218-1450	NEW-P	94-07-114	388-218-1920	NEW	94-10-065	388-235-0070	AMD	94-16-044
388-218-1450	NEW	94-10-065	388-218-1930	NEW-P	94-07-114	388-235-2000	AMD-P	94-13-008
388-218-1460	NEW-P	94-07-114	388-218-1930	NEW	94-10-065	388-235-2000	AMD-E	94-13-009
388-218-1460	NEW	94-10-065	388-218-1940	NEW-P	94-07-114	388-235-2000	AMD	94-16-044
388-218-1470	NEW-P	94-07-114	388-218-1940	NEW	94-10-065	388-235-3000	AMD-P	94-13-008
388-218-1470	NEW	94-10-065	388-219-0100	NEW-P	94-07-114	388-235-3000	AMD-E	94-13-009
388-218-1480	NEW-P	94-07-114	388-219-0100	NEW	94-10-065	388-235-3000	AMD	94-16-044
388-218-1480	NEW	94-10-065	388-219-0200	NEW-P	94-07-114	388-235-7300	AMD-P	94-11-024
388-218-1500	NEW-P	94-07-114	388-219-0200	NEW	94-10-065	388-235-7300	AMD	94-13-202
388-218-1500	NEW	94-10-065	388-219-1000	NEW-P	94-07-114	388-235-7400	NEW-P	94-11-024
388-218-1500	PREP	94-23-022	388-219-1000	NEW	94-10-065	388-235-7400	NEW	94-13-202
388-218-1500	AMD-P	95-01-027	388-219-1100	NEW-P	94-07-114	388-235-9000	PREP	94-16-025
388-218-1500	AMD-E	95-01-028	388-219-1100	NEW	94-10-065	388-235-9000	AMD-P	94-24-059
388-218-1510	NEW-P	94-07-114	388-219-1500	NEW-P	94-07-114	388-245-1000	NEW-P	94-07-114
388-218-1510	NEW	94-10-065	388-219-1500	NEW	94-10-065	388-245-1000	NEW	94-10-065
388-218-1515	NEW-P	94-07-114	388-219-1600	NEW-P	94-07-114	388-245-1150	NEW-P	94-07-114
388-218-1515	NEW	94-10-065	388-219-1600	NEW	94-10-065	388-245-1150	NEW	94-10-065
388-218-1520	NEW-P	94-07-114	388-219-1700	NEW-P	94-07-114	388-245-1160	NEW-P	94-07-114
388-218-1520	NEW	94-10-065	388-219-1700	NEW	94-10-065	388-245-1160	NEW	94-10-065
388-218-1520	PREP	94-23-022	388-219-2000	NEW-P	94-07-114	388-245-1170	NEW-P	94-07-114
388-218-1520	AMD-P	95-01-027	388-219-2000	NEW	94-10-065	388-245-1170	NEW	94-10-065
388-218-1520	AMD-E	95-01-028	388-219-2000	AMD-P	94-10-086	388-245-1210	NEW-P	94-07-114
388-218-1530	NEW-P	94-07-114	388-219-2000	AMD	94-13-050	388-245-1210	NEW	94-10-065
388-218-1530	NEW	94-10-065	388-219-2500	NEW-P	94-07-114	388-245-1300	NEW-P	94-07-114
388-218-1540	NEW-P	94-07-114	388-219-2500	NEW	94-10-065	388-245-1300	NEW	94-10-065
388-218-1540	NEW	94-10-065	388-219-2600	NEW-P	94-07-114	388-245-1310	NEW-P	94-07-114
388-218-1600	NEW-P	94-07-114	388-219-2600	NEW	94-10-065	388-245-1310	NEW	94-10-065
388-218-1600	NEW	94-10-065	388-219-3000	NEW-P	94-07-114	388-245-1315	NEW-P	94-07-114
388-218-1605	NEW-P	94-07-114	388-219-3000	NEW	94-10-065	388-245-1315	NEW	94-10-065
388-218-1605	NEW	94-10-065	388-219-3500	NEW-P	94-07-114	388-245-1320	NEW-P	94-07-114
388-218-1610	NEW-P	94-07-114	388-219-3500	NEW	94-10-065	388-245-1320	NEW	94-10-065
388-218-1610	NEW	94-10-065	388-225-0010	NEW-P	94-03-051	388-245-1350	NEW-P	94-07-114
388-218-1620	NEW-P	94-07-114	388-225-0010	NEW	94-06-026	388-245-1350	NEW	94-10-065
388-218-1620	NEW	94-10-065	388-225-0020	NEW-P	94-03-051	388-245-1400	NEW-P	94-07-114
388-218-1630	NEW-P	94-07-114	388-225-0020	NEW	94-06-026	388-245-1400	NEW	94-10-065
388-218-1630	NEW	94-10-065	388-225-0050	NEW-P	94-03-051	388-245-1410	NEW-P	94-07-114
388-218-1640	NEW-P	94-07-114	388-225-0050	NEW	94-06-026	388-245-1410	NEW	94-10-065
388-218-1640	NEW	94-10-065	388-225-0060	NEW-P	94-03-051	388-245-1500	NEW-P	94-07-114
388-218-1650	NEW-P	94-07-114	388-225-0060	NEW	94-06-026	388-245-1500	NEW	94-10-065
388-218-1650	NEW	94-10-065	388-225-0070	NEW-P	94-03-051	388-245-1510	NEW-P	94-07-114
388-218-1660	NEW-P	94-07-114	388-225-0070	NEW	94-06-026	388-245-1510	NEW	94-10-065
388-218-1660	NEW	94-10-065	388-225-0080	NEW-P	94-03-051	388-245-1520	NEW-P	94-07-114
388-218-1670	NEW-P	94-07-114	388-225-0080	NEW	94-06-026	388-245-1520	NEW	94-10-065
388-218-1670	NEW	94-10-065	388-225-0090	NEW-P	94-03-051	388-245-1600	NEW-P	94-07-114
388-218-1680	NEW-P	94-07-114	388-225-0090	NEW	94-06-026	388-245-1600	NEW	94-10-065
388-218-1680	NEW	94-10-065	388-225-0100	NEW-P	94-03-051	388-245-1610	NEW-P	94-07-114
388-218-1690	NEW-P	94-07-114	388-225-0100	NEW	94-06-026	388-245-1610	NEW	94-10-065
388-218-1690	NEW	94-10-065	388-225-0120	NEW-P	94-03-051	388-245-1700	NEW-P	94-07-114
388-218-1695	NEW-P	94-07-114	388-225-0120	NEW	94-06-026	388-245-1700	NEW	94-10-065
388-218-1695	NEW	94-10-065	388-225-0150	NEW-P	94-03-051	388-245-1710	NEW-P	94-07-114
388-218-1700	NEW-P	94-07-114	388-225-0150	NEW	94-06-026	388-245-1710	NEW	94-10-065
388-218-1700	NEW	94-10-065	388-225-0160	NEW-P	94-03-051	388-245-1715	NEW-P	94-07-114
388-218-1710	NEW-P	94-07-114	388-225-0160	NEW	94-06-026	388-245-1715	NEW	94-10-065
388-218-1710	NEW	94-10-065	388-225-0170	NEW-P	94-03-051	388-245-1720	NEW-P	94-07-114
388-218-1720	NEW-P	94-07-114	388-225-0170	NEW	94-06-026	388-245-1720	NEW	94-10-065
388-218-1720	NEW	94-10-065	388-225-0180	NEW-P	94-03-051	388-245-1730	NEW-P	94-07-114
388-218-1730	NEW-P	94-07-114	388-225-0180	NEW	94-06-026	388-245-1730	NEW	94-10-065

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-245-1740	NEW-P	94-07-114	388-255-1350	NEW	94-09-001	388-275-0070	NEW	94-04-033
388-245-1740	NEW	94-10-065	388-255-1400	NEW-P	94-06-035	388-275-0080	NEW	94-04-033
388-245-2010	NEW-P	94-07-114	388-255-1400	NEW	94-09-001	388-275-0090	NEW	94-04-033
388-245-2010	NEW	94-10-065	388-265	PREP	94-15-044	388-300	PREP	94-22-011
388-245-2020	NEW-P	94-07-114	388-265-1010	NEW-P	94-07-114	388-320-115	AMD-P	94-13-025
388-245-2020	NEW	94-10-065	388-265-1010	NEW	94-10-065	388-320-115	AMD	94-16-047
388-245-2030	NEW-P	94-07-114	388-265-1050	NEW-P	94-07-114	388-320-130	AMD-P	94-13-025
388-245-2030	NEW	94-10-065	388-265-1050	NEW	94-10-065	388-320-130	AMD	94-16-047
388-245-2040	NEW-P	94-07-114	388-265-1100	NEW-P	94-07-114	388-320-135	AMD-P	94-13-025
388-245-2040	NEW	94-10-065	388-265-1110	NEW	94-10-065	388-320-135	AMD	94-16-047
388-245-2050	NEW-P	94-07-114	388-265-1150	NEW-P	94-07-114	388-320-220	AMD-P	94-13-025
388-245-2050	NEW	94-10-065	388-265-1150	NEW	94-10-065	388-320-220	AMD	94-16-047
388-250-1010	NEW-P	94-06-035	388-265-1200	NEW-P	94-07-114	388-320-240	AMD-P	94-13-025
388-250-1010	NEW	94-09-001	388-265-1200	NEW	94-10-065	388-320-240	AMD	94-16-047
388-250-1050	NEW-P	94-06-035	388-265-1250	NEW-P	94-07-114	388-500-0005	NEW-P	94-07-114
388-250-1050	NEW	94-09-001	388-265-1250	NEW	94-10-065	388-500-0005	NEW	94-10-065
388-250-1100	NEW-P	94-06-035	388-265-1275	NEW-E	94-17-078	388-500-0005	PREP	94-16-081
388-250-1100	NEW	94-09-001	388-265-1275	NEW-P	94-17-078A	388-501-0105	NEW-P	94-07-114
388-250-1150	NEW-P	94-06-035	388-265-1275	NEW	94-20-040	388-501-0105	NEW	94-10-065
388-250-1150	NEW	94-09-001	388-265-1300	NEW-P	94-07-114	388-501-0110	NEW-P	94-07-114
388-250-1200	NEW-P	94-06-035	388-265-1300	NEW	94-10-065	388-501-0110	NEW	94-10-065
388-250-1200	NEW	94-09-001	388-265-1350	NEW-P	94-07-114	388-501-0125	NEW-P	94-07-114
388-250-1200	PREP	95-01-064	388-265-1350	NEW	94-10-065	388-501-0125	NEW	94-10-065
388-250-1250	NEW-P	94-06-035	388-265-1400	NEW-P	94-07-114	388-501-0130	NEW-P	94-07-114
388-250-1250	NEW	94-09-001	388-265-1400	NEW	94-10-065	388-501-0130	NEW	94-10-065
388-250-1250	PREP	94-16-073	388-265-1450	NEW-P	94-07-114	388-501-0135	NEW-P	94-07-114
388-250-1250	AMD-E	94-17-081	388-265-1450	NEW	94-10-065	388-501-0135	NEW	94-10-065
388-250-1250	AMD-P	94-17-082	388-265-1500	NEW-P	94-07-114	388-501-0140	NEW-P	94-07-114
388-250-1250	AMD	94-20-039	388-265-1500	NEW	94-10-065	388-501-0140	NEW	94-10-065
388-250-1300	NEW-P	94-06-035	388-265-1550	NEW-P	94-07-114	388-501-0150	NEW-P	94-07-114
388-250-1300	NEW	94-09-001	388-265-1550	NEW	94-10-065	388-501-0150	NEW	94-10-065
388-250-1300	PREP	94-17-132	388-265-1600	NEW-P	94-07-114	388-501-0160	NEW-P	94-07-114
388-250-1300	AMD-P	94-18-047	388-265-1600	NEW	94-10-065	388-501-0160	NEW	94-10-065
388-250-1300	AMD-E	94-18-050	388-265-1650	NEW-P	94-07-114	388-501-0165	NEW-P	94-07-114
388-250-1300	AMD	94-21-043	388-265-1650	NEW	94-10-065	388-501-0165	NEW	94-10-065
388-250-1350	NEW-P	94-06-035	388-265-1700	NEW-P	94-07-114	388-501-0170	NEW-P	94-07-114
388-250-1350	NEW	94-09-001	388-265-1700	NEW	94-10-065	388-501-0170	NEW	94-10-065
388-250-1400	NEW-P	94-06-035	388-265-1750	NEW-P	94-07-114	388-501-0175	NEW-P	94-07-114
388-250-1400	NEW	94-09-001	388-265-1750	NEW	94-10-065	388-501-0175	NEW	94-10-065
388-250-1450	NEW-P	94-06-035	388-265-1800	NEW-P	94-07-114	388-501-0180	NEW-P	94-07-114
388-250-1450	NEW	94-09-001	388-265-1800	NEW	94-10-065	388-501-0180	NEW	94-10-065
388-250-1500	NEW-P	94-06-035	388-265-1850	NEW-P	94-07-114	388-501-0190	NEW-P	94-07-114
388-250-1500	NEW	94-09-001	388-265-1850	NEW	94-10-065	388-501-0190	NEW	94-10-065
388-250-1550	NEW-P	94-06-035	388-265-1900	NEW-P	94-07-114	388-501-0195	NEW-P	94-07-114
388-250-1550	NEW	94-09-001	388-265-1900	NEW	94-10-065	388-501-0195	NEW-W	94-20-094
388-250-1600	NEW-P	94-06-035	388-265-1950	NEW-P	94-07-114	388-502-0205	NEW-P	94-07-114
388-250-1600	NEW	94-09-001	388-265-1950	NEW	94-10-065	388-502-0205	NEW	94-10-065
388-250-1650	NEW-P	94-06-035	388-265-2000	NEW-P	94-07-114	388-502-0210	NEW-P	94-07-114
388-250-1650	NEW	94-09-001	388-265-2000	NEW	94-10-065	388-502-0210	NEW	94-10-065
388-250-1700	NEW-P	94-06-035	388-270-1005	NEW	94-05-045	388-502-0220	NEW-P	94-07-114
388-250-1700	NEW	94-09-001	388-270-1010	NEW	94-05-045	388-502-0220	NEW	94-10-065
388-250-1700	AMD-P	94-12-004	388-270-1025	NEW	94-05-045	388-502-0230	NEW-P	94-07-114
388-250-1700	AMD-E	94-14-004	388-270-1075	NEW	94-05-045	388-502-0230	NEW	94-10-065
388-250-1700	AMD	94-15-003	388-270-1100	NEW	94-05-045	388-502-0250	NEW-P	94-07-114
388-250-1700	PREP	94-23-023	388-270-1110	NEW	94-05-045	388-502-0250	NEW	94-10-065
388-250-1700	AMD-P	94-24-018	388-270-1125	NEW	94-05-045	388-503-0305	NEW-P	94-07-114
388-250-1750	NEW-P	94-06-035	388-270-1150	NEW	94-05-045	388-503-0305	NEW	94-10-065
388-250-1750	NEW	94-09-001	388-270-1200	NEW	94-05-045	388-503-0310	NEW-P	94-07-114
388-255-1020	NEW-P	94-06-035	388-270-1250	NEW	94-05-045	388-503-0310	NEW	94-10-065
388-255-1020	NEW	94-09-001	388-270-1300	NEW	94-05-045	388-503-0310	PREP	94-13-102
388-255-1050	NEW-P	94-06-035	388-270-1400	NEW	94-05-045	388-503-0310	AMD-E	94-14-053
388-255-1050	NEW	94-09-001	388-270-1500	NEW	94-05-045	388-503-0310	AMD-P	94-14-055
388-255-1100	NEW-P	94-06-035	388-270-1550	NEW	94-05-045	388-503-0310	AMD	94-17-036
388-255-1100	NEW	94-09-001	388-270-1600	NEW	94-05-045	388-503-0320	NEW-P	94-07-114
388-255-1150	NEW-P	94-06-035	388-275-0010	NEW	94-04-033	388-503-0320	NEW	94-10-065
388-255-1150	NEW	94-09-001	388-275-0020	NEW	94-04-033	388-503-0350	NEW-P	94-07-114
388-255-1200	NEW-P	94-06-035	388-275-0030	NEW	94-04-033	388-503-0350	NEW	94-10-065
388-255-1200	NEW	94-09-001	388-275-0040	NEW	94-04-033	388-503-0370	NEW-P	94-07-114
388-255-1250	NEW-P	94-06-035	388-275-0050	NEW	94-04-033	388-503-0370	NEW	94-10-065
388-255-1250	NEW	94-09-001	388-275-0060	NEW	94-04-033	388-504-0405	NEW-P	94-07-114
388-255-1300	NEW-P	94-06-035	388-275-0060	AMD-P	94-13-008	388-504-0405	NEW	94-10-065
388-255-1300	NEW	94-09-001	388-275-0060	AMD-E	94-13-009	388-504-0410	NEW-P	94-07-114
388-255-1350	NEW-P	94-06-035	388-275-0060	AMD	94-16-044	388-504-0410	NEW	94-10-065

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-504-0420	NEW-P	94-07-114	388-508-0840	NEW-P	94-07-114	388-512-1260	NEW-P	94-07-114
388-504-0420	NEW	94-10-065	388-508-0840	NEW	94-10-065	388-512-1260	NEW	94-10-065
388-504-0430	NEW-P	94-07-114	388-509-0905	NEW-P	94-07-114	388-512-1265	NEW-P	94-07-114
388-504-0430	NEW	94-10-065	388-509-0905	NEW	94-10-065	388-512-1265	NEW	94-10-065
388-504-0440	NEW-P	94-07-114	388-509-0910	NEW-P	94-07-114	388-512-1275	NEW-P	94-07-114
388-504-0440	NEW	94-10-065	388-509-0910	NEW	94-10-065	388-512-1275	NEW	94-10-065
388-504-0450	NEW-P	94-07-114	388-509-0910	PREP	94-13-102	388-512-1280	NEW-P	94-07-114
388-504-0450	NEW	94-10-065	388-509-0910	AMD-E	94-14-053	388-512-1280	NEW	94-10-065
388-504-0460	NEW-P	94-07-114	388-509-0910	AMD-P	94-14-055	388-513-1300	PREP	94-20-003
388-504-0460	NEW	94-10-065	388-509-0910	AMD	94-17-036	388-513-1305	NEW-P	94-07-114
388-504-0470	NEW-P	94-07-114	388-509-0920	NEW-P	94-07-114	388-513-1305	NEW	94-10-065
388-504-0470	NEW	94-10-065	388-509-0920	NEW	94-10-065	388-513-1310	NEW-P	94-07-114
388-504-0480	NEW-P	94-07-114	388-509-0920	PREP	94-13-102	388-513-1310	NEW	94-10-065
388-504-0480	NEW	94-10-065	388-509-0920	AMD-E	94-14-053	388-513-1315	NEW-P	94-07-114
388-504-0485	NEW-P	94-07-114	388-509-0920	AMD-P	94-14-055	388-513-1315	NEW	94-10-065
388-504-0485	NEW	94-10-065	388-509-0920	AMD	94-17-036	388-513-1320	NEW-P	94-07-114
388-505-0501	NEW-P	94-07-114	388-509-0940	NEW-P	94-07-114	388-513-1320	NEW	94-10-065
388-505-0501	NEW	94-10-065	388-509-0940	NEW	94-10-065	388-513-1320	PREP	94-20-003
388-505-0505	NEW-P	94-07-114	388-509-0960	NEW-P	94-07-114	388-513-1330	NEW-P	94-07-114
388-505-0505	NEW	94-10-065	388-509-0960	NEW	94-10-065	388-513-1330	NEW	94-10-065
388-505-0510	NEW-P	94-07-114	388-509-0960	PREP	94-13-102	388-513-1330	AMD-P	94-22-065
388-505-0510	NEW	94-10-065	388-509-0960	AMD-E	94-14-053	388-513-1330	AMD-E	94-22-066
388-505-0520	NEW-P	94-07-114	388-509-0960	AMD-P	94-14-055	388-513-1340	NEW-P	94-07-114
388-505-0520	NEW	94-10-065	388-509-0960	AMD	94-17-036	388-513-1340	NEW	94-10-065
388-505-0530	NEW-P	94-07-114	388-509-0960	PREP	95-01-059	388-513-1340	PREP	94-21-030
388-505-0530	NEW	94-10-065	388-509-0960	PREP	95-01-080	388-513-1340	AMD-P	94-22-065
388-505-0540	NEW-P	94-07-114	388-509-0970	NEW-P	94-07-114	388-513-1340	AMD-E	94-22-066
388-505-0540	NEW	94-10-065	388-509-0970	NEW	94-10-065	388-513-1345	NEW-P	94-07-114
388-505-0560	NEW-P	94-07-114	388-510-1020	NEW-P	94-07-114	388-513-1345	NEW	94-10-065
388-505-0560	NEW	94-10-065	388-510-1020	NEW	94-10-065	388-513-1345	PREP	94-21-030
388-505-0570	NEW-P	94-07-114	388-510-1030	NEW-P	94-07-114	388-513-1345	AMD-P	94-22-065
388-505-0570	NEW	94-10-065	388-510-1030	NEW	94-10-065	388-513-1345	AMD-E	94-22-066
388-505-0580	NEW-P	94-07-114	388-511-1105	NEW-P	94-07-114	388-513-1350	NEW-P	94-07-114
388-505-0580	NEW	94-10-065	388-511-1105	NEW	94-10-065	388-513-1350	NEW	94-10-065
388-505-0580	PREP	94-16-079	388-511-1105	PREP	94-18-009	388-513-1350	PREP	94-15-029
388-505-0580	AMD-P	94-23-021	388-511-1110	NEW-P	94-07-114	388-513-1350	AMD-P	94-21-033
388-505-0590	NEW-P	94-07-114	388-511-1110	NEW	94-10-065	388-513-1350	AMD	94-23-129
388-505-0590	NEW	94-10-065	388-511-1115	NEW-P	94-07-114	388-513-1350	PREP	94-24-019
388-505-0590	PREP	94-20-005	388-511-1115	NEW	94-10-065	388-513-1360	NEW-P	94-07-114
388-505-0590	AMD-P	95-01-061	388-511-1130	NEW-P	94-07-114	388-513-1360	NEW	94-10-065
388-505-0595	NEW-P	94-07-114	388-511-1130	NEW	94-10-065	388-513-1365	NEW-P	94-07-114
388-505-0595	NEW	94-10-065	388-511-1140	NEW-P	94-07-114	388-513-1365	NEW	94-10-065
388-506-0610	NEW-P	94-07-114	388-511-1140	NEW	94-10-065	388-513-1365	PREP	94-15-030
388-506-0610	NEW	94-10-065	388-511-1140	PREP	94-18-009	388-513-1365	AMD-P	94-23-109
388-506-0610	PREP	94-13-103	388-511-1150	NEW-P	94-07-114	388-513-1380	NEW-P	94-07-114
388-506-0610	AMD-E	94-14-054	388-511-1150	NEW	94-10-065	388-513-1380	NEW	94-10-065
388-506-0610	AMD-P	94-14-057	388-511-1160	NEW-P	94-07-114	388-513-1380	PREP	94-17-128
388-506-0610	AMD	94-17-034	388-511-1160	NEW	94-10-065	388-513-1380	PREP	94-24-019
388-506-0610	PREP	94-20-006	388-511-1160	PREP	94-18-009	388-513-1395	NEW-P	94-07-114
388-506-0620	NEW-P	94-07-114	388-511-1170	NEW-P	94-07-114	388-513-1395	NEW	94-10-065
388-506-0620	NEW	94-10-065	388-511-1170	NEW	94-10-065	388-513-1396	NEW-P	94-07-114
388-506-0630	NEW-P	94-07-114	388-512-1210	NEW-P	94-07-114	388-513-1396	NEW	94-10-065
388-506-0630	NEW	94-10-065	388-512-1210	NEW	94-10-065	388-515-1505	NEW-P	94-07-114
388-507-0710	NEW-P	94-07-114	388-512-1215	NEW-P	94-07-114	388-515-1505	NEW	94-10-065
388-507-0710	NEW	94-10-065	388-512-1215	NEW	94-10-065	388-515-1510	NEW-P	94-07-114
388-507-0710	PREP	94-24-019	388-512-1220	NEW-P	94-07-114	388-515-1510	NEW	94-10-065
388-507-0720	NEW-P	94-07-114	388-512-1220	NEW	94-10-065	388-515-1530	NEW-P	94-07-114
388-507-0720	NEW	94-10-065	388-512-1225	NEW-P	94-07-114	388-515-1530	NEW	94-10-065
388-507-0730	NEW-P	94-07-114	388-512-1225	NEW	94-10-065	388-517-1710	NEW-P	94-07-114
388-507-0730	NEW	94-10-065	388-512-1225	PREP	94-16-080	388-517-1710	NEW	94-10-065
388-507-0740	NEW-P	94-07-114	388-512-1225	AMD-P	94-23-020	388-517-1710	PREP	94-16-082
388-507-0740	NEW	94-10-065	388-512-1230	NEW-P	94-07-114	388-517-1715	NEW-P	94-07-114
388-508-0805	NEW-P	94-07-114	388-512-1230	NEW	94-10-065	388-517-1715	NEW	94-10-065
388-508-0805	NEW	94-10-065	388-512-1235	NEW-P	94-07-114	388-517-1715	PREP	94-16-082
388-508-0810	NEW-P	94-07-114	388-512-1235	NEW	94-10-065	388-517-1720	NEW-P	94-07-114
388-508-0810	NEW	94-10-065	388-512-1240	NEW-P	94-07-114	388-517-1720	NEW	94-10-065
388-508-0820	NEW-P	94-07-114	388-512-1240	NEW	94-10-065	388-517-1730	NEW-P	94-07-114
388-508-0820	NEW	94-10-065	388-512-1245	NEW-P	94-07-114	388-517-1730	NEW	94-10-065
388-508-0820	PREP	94-20-004	388-512-1245	NEW	94-10-065	388-517-1730	PREP	94-16-082
388-508-0830	NEW-P	94-07-114	388-512-1250	NEW-P	94-07-114	388-517-1740	NEW-P	94-07-114
388-508-0830	NEW	94-10-065	388-512-1250	NEW	94-10-065	388-517-1740	NEW	94-10-065
388-508-0835	NEW-P	94-07-114	388-512-1255	NEW-P	94-07-114	388-517-1750	NEW-P	94-07-114
388-508-0835	NEW	94-10-065	388-512-1255	NEW	94-10-065	388-517-1750	NEW	94-10-065

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-517-1760	NEW-P	94-07-114	388-528-2810	NEW-P	94-07-114	390-17-320	NEW-P	94-07-035
388-517-1760	NEW	94-10-065	388-528-2810	NEW	94-10-065	390-17-320	NEW	94-11-016
388-518-1805	NEW-P	94-07-114	388-529-2910	NEW-P	94-07-114	390-17-405	NEW-P	94-07-142
388-518-1805	NEW	94-10-065	388-529-2910	NEW	94-10-065	390-17-405	NEW	94-11-017
388-518-1805	PREP	94-20-007	388-529-2920	NEW-P	94-07-114	390-18-030	AMD-P	94-22-076
388-518-1805	AMD-P	95-01-037	388-529-2920	NEW	94-10-065	390-18-030	AMD	95-01-074A
388-518-1810	NEW-P	94-07-114	388-529-2930	NEW-P	94-07-114	390-20-027	AMD-P	94-22-076
388-518-1810	NEW	94-10-065	388-529-2930	NEW	94-10-065	390-20-027	AMD	95-01-074A
388-518-1820	NEW-P	94-07-114	388-529-2940	NEW-P	94-07-114	390-20-107	REP-P	94-22-076
388-518-1820	NEW	94-10-065	388-529-2940	NEW	94-10-065	390-20-107	REP	95-01-074A
388-518-1830	NEW-P	94-07-114	388-529-2950	NEW-P	94-07-114	390-20-110	AMD-P	94-22-076
388-518-1830	NEW	94-10-065	388-529-2950	NEW	94-10-065	390-20-110	AMD	95-01-074A
388-518-1840	NEW-P	94-07-114	388-529-2960	NEW-P	94-07-114	390-20-148	NEW-P	94-07-035
388-518-1840	NEW	94-10-065	388-529-2960	NEW	94-10-065	390-20-148	NEW	94-11-016
388-518-1850	NEW-P	94-07-114	388-538-100	PREP	94-22-002	390-20-052	AMD-P	94-07-035
388-518-1850	NEW	94-10-065	388-538-100	AMD-P	95-01-063	390-20-052	AMD	94-11-016
388-519-1905	NEW-P	94-07-114	388-538-110	AMD	94-04-038	390-24-030	REP	94-05-010
388-519-1905	NEW	94-10-065	390-05-190	AMD-E	94-18-060	390-24-031	REP	94-05-010
388-519-1910	NEW-P	94-07-114	390-05-210	AMD-E	94-18-060	390-24-160	AMD	94-05-010
388-519-1910	NEW	94-10-065	390-05-210	PREP	94-19-052	390-37-070	AMD	94-05-010
388-519-1930	NEW-P	94-07-114	390-05-235	AMD-P	94-07-088	390-37-105	AMD	94-05-010
388-519-1930	NEW	94-10-065	390-05-235	AMD	94-11-018	390-37-105	AMD	94-05-010
388-519-1950	NEW-P	94-07-114	390-05-245	NEW-E	94-18-060	392-109	PREP	94-15-012
388-519-1950	NEW	94-10-065	390-12-010	AMD	94-05-010	392-121	PREP	94-17-097
388-521-2105	NEW-P	94-07-114	390-14-040	AMD	94-05-010	392-121-106	AMD-P	94-18-015
388-521-2105	NEW	94-10-065	390-16-011	AMD	94-05-011	392-121-106	AMD	95-01-013
388-521-2110	NEW-P	94-07-114	390-16-012	AMD	94-05-011	392-121-10601	NEW-P	94-18-015
388-521-2110	NEW	94-10-065	390-16-031	AMD	94-05-011	392-121-10601	NEW	95-01-013
388-521-2120	NEW-P	94-07-114	390-16-032	AMD	94-05-011	392-121-10602	NEW-P	94-18-015
388-521-2120	NEW	94-10-065	390-16-033	AMD	94-05-011	392-121-10602	NEW	95-01-013
388-521-2130	NEW-P	94-07-114	390-16-038	AMD-E	94-18-060	392-121-10603	NEW-P	94-18-015
388-521-2130	NEW	94-10-065	390-16-041	AMD	94-05-011	392-121-10603	NEW	95-01-013
388-521-2140	NEW-P	94-07-114	390-16-050	AMD	94-05-011	392-121-10604	NEW-P	94-18-015
388-521-2140	NEW	94-10-065	390-16-071	NEW-E	94-07-001	392-121-10604	NEW	95-01-013
388-521-2150	NEW-P	94-07-114	390-16-071	NEW-P	94-07-035	392-121-107	AMD-P	94-18-015
388-521-2150	NEW	94-10-065	390-16-071	NEW	94-11-016	392-121-107	AMD	95-01-013
388-521-2155	NEW-P	94-07-114	390-16-071	AMD-P	94-22-076	392-121-108	AMD-P	94-18-015
388-521-2155	NEW	94-10-065	390-16-071	AMD	95-01-074A	392-121-108	AMD	95-01-013
388-521-2160	NEW-P	94-07-114	390-16-207	AMD-P	94-07-035	392-121-111	AMD-P	94-18-015
388-521-2160	NEW	94-10-065	390-16-207	AMD	94-11-016	392-121-111	AMD	95-01-013
388-521-2170	NEW-P	94-07-114	390-16-238	NEW-P	94-05-097	392-121-122	AMD-P	94-18-015
388-521-2170	NEW	94-10-065	390-16-238	NEW	94-07-141	392-121-122	AMD	95-01-013
388-522-2205	NEW-P	94-07-114	390-16-245	NEW-P	94-05-097	392-121-123	AMD-P	94-18-015
388-522-2205	NEW	94-10-065	390-16-245	NEW	94-07-141	392-121-123	AMD	95-01-013
388-522-2210	NEW-P	94-07-114	390-16-300	AMD-P	94-05-097	392-121-136	AMD-P	94-18-015
388-522-2210	NEW	94-10-065	390-16-308	AMD-P	94-07-035	392-121-136	AMD	95-01-013
388-522-2230	NEW-P	94-07-114	390-16-308	AMD-P	94-07-088	392-121-137	NEW-P	94-18-015
388-522-2230	NEW	94-10-065	390-16-308	AMD-W	94-07-089	392-121-137	NEW	95-01-013
388-523-2305	NEW-P	94-07-114	390-16-308	AMD	94-11-016	392-121-138	NEW-P	94-18-015
388-523-2305	NEW	94-10-065	390-16-309	NEW-E	94-07-001	392-121-138	NEW	95-01-013
388-523-2320	NEW-P	94-07-114	390-16-309	NEW-P	94-07-035	392-121-161	REP-P	94-18-015
388-523-2320	NEW	94-10-065	390-16-309	NEW-W	94-08-080	392-121-161	REP	95-01-013
388-524-2405	NEW-P	94-07-114	390-16-309	NEW	94-11-016	392-121-181	REP-P	94-18-015
388-524-2405	NEW	94-10-065	390-16-310	AMD-P	94-07-035	392-121-181	REP	95-01-013
388-524-2420	NEW-P	94-07-114	390-16-310	AMD-P	94-07-088	392-121-182	AMD-P	94-18-015
388-524-2420	NEW	94-10-065	390-16-310	AMD-W	94-07-089	392-121-182	AMD	95-01-013
388-525-2505	NEW-P	94-07-114	390-16-310	AMD	94-11-016	392-121-183	AMD-P	94-18-015
388-525-2505	NEW	94-10-065	390-16-311	NEW-P	94-07-142	392-121-183	AMD	95-01-013
388-525-2520	NEW-P	94-07-114	390-16-311	NEW	94-11-017	392-121-184	AMD-P	94-18-015
388-525-2520	NEW	94-10-065	390-16-313	NEW-E	94-18-060	392-121-184	AMD	95-01-013
388-525-2570	NEW-P	94-07-114	390-16-314	NEW-E	94-18-060	392-121-187	NEW-P	94-13-107
388-525-2570	NEW	94-10-065	390-16-315	AMD-P	94-05-097	392-121-187	NEW	94-17-096
388-526-2610	NEW-P	94-07-114	390-16-324	NEW-P	94-03-087	392-121-188	NEW-P	94-18-015
388-526-2610	NEW	94-10-065	390-16-324	NEW-W	94-04-121	392-121-188	NEW	95-01-013
388-527-2710	NEW-P	94-07-114	390-17-050	REP-E	94-18-060	392-122	PREP	94-17-117
388-527-2710	NEW	94-10-065	390-17-052	REP-E	94-18-060	392-127-700	REP	94-04-096
388-527-2710	PREP	94-13-104	390-17-071	NEW	94-05-010	392-127-703	REP	94-04-096
388-527-2710	AMD-E	94-14-052	390-17-300	AMD-P	94-03-087	392-127-705	REP	94-04-096
388-527-2710	AMD-P	94-14-056	390-17-300	AMD-W	94-04-121	392-127-710	REP	94-04-096
388-527-2710	AMD	94-17-035	390-17-300	AMD	94-07-141	392-127-715	REP	94-04-096
388-527-2710	PREP	94-21-010	390-17-315	AMD-P	94-03-087	392-127-720	REP	94-04-096
388-527-2720	NEW-P	94-07-114	390-17-315	AMD-W	94-04-121	392-127-725	REP	94-04-096
388-527-2720	NEW	94-10-065	390-17-315	AMD	94-07-141	392-127-730	REP	94-04-096

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
392-127-735	REP	94-04-096	392-140-517	NEW-P	94-04-122	392-157-085	NEW	94-04-097
392-127-740	REP	94-04-096	392-140-517	NEW	94-12-002	392-157-090	NEW	94-04-097
392-127-745	REP	94-04-096	392-140-518	NEW-P	94-04-122	392-157-095	NEW	94-04-097
392-127-750	REP	94-04-096	392-140-518	NEW	94-12-002	392-157-100	NEW	94-04-097
392-127-755	REP	94-04-096	392-140-519	NEW-P	94-04-122	392-157-105	NEW	94-04-097
392-127-760	REP	94-04-096	392-140-519	NEW	94-12-002	392-157-110	NEW	94-04-097
392-127-765	REP	94-04-096	392-140-525	NEW-P	94-11-066	392-157-115	NEW	94-04-097
392-127-770	REP	94-04-096	392-140-525	NEW	94-14-050	392-157-120	NEW	94-04-097
392-127-775	REP	94-04-096	392-140-527	NEW-P	94-11-066	392-157-125	NEW	94-04-097
392-127-780	REP	94-04-096	392-140-527	NEW	94-14-050	392-157-130	NEW	94-04-097
392-127-785	REP	94-04-096	392-140-529	NEW-P	94-11-066	392-157-135	NEW	94-04-097
392-127-790	REP	94-04-096	392-140-529	NEW	94-14-050	392-157-140	NEW	94-04-097
392-127-795	REP	94-04-096	392-140-530	NEW-P	94-11-066	392-157-145	NEW	94-04-097
392-127-800	REP	94-04-096	392-140-530	NEW	94-14-050	392-157-150	NEW	94-04-097
392-127-805	REP	94-04-096	392-140-531	NEW-P	94-11-066	392-157-155	NEW	94-04-097
392-127-815	REP	94-04-096	392-140-531	NEW	94-14-050	392-157-160	NEW	94-04-097
392-127-820	REP	94-04-096	392-140-533	NEW-P	94-11-066	392-157-165	NEW	94-04-097
392-127-825	REP	94-04-096	392-140-533	NEW	94-14-050	392-157-170	NEW	94-04-097
392-127-830	REP	94-04-096	392-140-535	NEW-P	94-11-066	392-157-175	NEW	94-04-097
392-139-685	AMD-P	94-18-041	392-140-535	NEW	94-14-050	392-157-180	NEW	94-04-097
392-139-685	AMD	94-21-072	392-140-536	NEW-P	94-11-066	392-160	PREP	94-19-007
392-140-190	REP-P	94-11-066	392-140-536	NEW	94-14-050	392-163-400	AMD-P	94-04-094
392-140-190	REP	94-14-050	392-140-537	NEW-P	94-11-066	392-163-400	AMD	94-07-103
392-140-191	REP-P	94-11-066	392-140-537	NEW	94-14-050	392-163-405	AMD-P	94-04-094
392-140-191	REP	94-14-050	392-140-538	NEW-P	94-11-066	392-163-405	AMD	94-07-103
392-140-192	REP-P	94-11-066	392-140-538	NEW	94-14-050	392-163-440	AMD-P	94-04-094
392-140-192	REP	94-14-050	392-140-540	NEW-P	94-13-210	392-163-440	AMD	94-07-103
392-140-193	REP-P	94-11-066	392-140-540	NEW	94-17-131	392-163-445	AMD-P	94-04-094
392-140-193	REP	94-14-050	392-140-542	NEW-P	94-13-210	392-163-445	AMD	94-07-103
392-140-194	REP-P	94-11-066	392-140-542	NEW	94-17-131	392-163-530	AMD-P	94-04-094
392-140-194	REP	94-14-050	392-140-543	NEW-P	94-13-210	392-163-530	AMD	94-07-103
392-140-195	REP-P	94-11-066	392-140-543	NEW	94-17-131	392-163-580	AMD-P	94-04-094
392-140-195	REP	94-14-050	392-140-544	NEW-P	94-13-210	392-163-580	AMD	94-07-103
392-140-196	REP-P	94-11-066	392-140-544	NEW	94-17-131	392-169	PREP	94-21-035
392-140-196	REP	94-14-050	392-140-545	NEW-P	94-13-210	392-169-005	NEW	94-04-095
392-140-197	REP-P	94-11-066	392-140-545	NEW	94-17-131	392-169-010	NEW	94-04-095
392-140-197	REP	94-14-050	392-140-548	NEW-P	94-13-210	392-169-015	NEW	94-04-095
392-140-198	REP-P	94-11-066	392-140-548	NEW	94-17-131	392-169-020	NEW	94-04-095
392-140-198	REP	94-14-050	392-140-549	NEW-P	94-13-210	392-169-022	NEW	94-04-095
392-140-199	REP-P	94-11-066	392-140-549	NEW	94-17-131	392-169-023	NEW	94-04-095
392-140-199	REP	94-14-050	392-140-551	NEW-P	94-13-210	392-169-025	NEW	94-04-095
392-140-200	REP-P	94-11-066	392-140-551	NEW	94-17-131	392-169-030	NEW	94-04-095
392-140-200	REP	94-14-050	392-140-552	NEW-P	94-13-210	392-169-035	NEW	94-04-095
392-140-201	REP-P	94-11-066	392-140-552	NEW	94-17-131	392-169-040	NEW	94-04-095
392-140-201	REP	94-14-050	392-140-553	NEW-P	94-13-210	392-169-045	NEW	94-04-095
392-140-202	REP-P	94-11-066	392-140-553	NEW	94-17-131	392-169-050	NEW	94-04-095
392-140-202	REP	94-14-050	392-140-555	NEW-P	94-13-210	392-169-055	NEW	94-04-095
392-140-500	NEW-P	94-04-122	392-140-555	NEW	94-17-131	392-169-057	NEW	94-04-095
392-140-500	NEW	94-12-002	392-140-557	NEW-P	94-13-210	392-169-060	NEW	94-04-095
392-140-501	NEW-P	94-04-122	392-140-557	NEW	94-17-131	392-169-065	NEW	94-04-095
392-140-501	NEW	94-12-002	392-140-559	NEW-P	94-13-210	392-169-070	NEW	94-04-095
392-140-503	NEW-P	94-04-122	392-140-559	NEW	94-17-131	392-169-075	NEW	94-04-095
392-140-503	NEW	94-12-002	392-141	PREP	94-14-076	392-169-080	NEW	94-04-095
392-140-504	NEW-P	94-04-122	392-141-160	AMD-P	94-14-093	392-169-085	NEW	94-04-095
392-140-504	NEW	94-12-002	392-141-160	AMD	94-17-058	392-169-090	NEW	94-04-095
392-140-505	NEW-P	94-04-122	392-141-175	AMD-P	94-14-093	392-169-095	NEW	94-04-095
392-140-505	NEW	94-12-002	392-141-175	AMD	94-17-058	392-169-100	NEW	94-04-095
392-140-506	NEW-P	94-04-122	392-157-005	NEW	94-04-097	392-169-105	NEW	94-04-095
392-140-506	NEW	94-12-002	392-157-010	NEW	94-04-097	392-169-110	NEW	94-04-095
392-140-507	NEW-P	94-04-122	392-157-015	NEW	94-04-097	392-169-115	NEW	94-04-095
392-140-507	NEW	94-12-002	392-157-020	NEW	94-04-097	392-169-120	NEW	94-04-095
392-140-508	NEW-P	94-04-122	392-157-025	NEW	94-04-097	392-169-125	NEW	94-04-095
392-140-508	NEW	94-12-002	392-157-030	NEW	94-04-097	392-185	PREP	94-21-036
392-140-509	NEW-P	94-04-122	392-157-035	NEW	94-04-097	392-190-056	NEW-P	94-18-040
392-140-509	NEW	94-12-002	392-157-040	NEW	94-04-097	392-190-056	NEW	94-23-043
392-140-510	NEW-P	94-04-122	392-157-045	NEW	94-04-097	392-190-057	NEW-P	94-18-040
392-140-510	NEW	94-12-002	392-157-050	NEW	94-04-097	392-190-057	NEW	94-23-043
392-140-511	NEW-P	94-04-122	392-157-055	NEW	94-04-097	392-190-058	NEW-P	94-18-040
392-140-511	NEW	94-12-002	392-157-060	NEW	94-04-097	392-190-058	NEW	94-23-043
392-140-512	NEW-P	94-04-122	392-157-065	NEW	94-04-097	392-196-011	AMD-P	94-11-120
392-140-512	NEW	94-12-002	392-157-070	NEW	94-04-097	392-196-011	AMD-W	95-01-002
392-140-516	NEW-P	94-04-122	392-157-075	NEW	94-04-097	392-196-015	REP-P	94-11-120
392-140-516	NEW	94-12-002	392-157-080	NEW	94-04-097	392-196-015	REP	94-16-019

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
392-196-020	AMD-P	94-11-120	392-330-040	NEW	94-12-019	419-70-020	REP-P	94-24-086
392-196-020	AMD	94-16-019	392-330-050	NEW-P	94-08-074	419-70-030	REP-P	94-24-086
392-196-025	REP-P	94-11-120	392-330-050	NEW	94-12-019	419-70-040	AMD-P	94-13-043
392-196-025	REP	94-16-019	392-330-060	NEW-P	94-08-074	419-70-040	REP-P	94-24-086
392-196-030	REP-P	94-11-120	392-330-060	NEW	94-12-019	419-70-050	REP-P	94-24-086
392-196-030	REP	94-16-019	392-330-070	NEW-P	94-08-074	419-72	AMD-C	94-18-106
392-196-035	REP-P	94-11-120	392-330-070	NEW	94-12-019	419-72-010	AMD-P	94-13-044
392-196-035	REP	94-16-019	392-330-080	NEW-P	94-08-074	419-72-010	AMD-S	94-24-086
392-196-037	REP-P	94-11-120	392-330-080	NEW	94-12-019	419-72-012	NEW-S	94-24-086
392-196-037	REP	94-16-019	399-10-010	PREP	94-21-059	419-72-015	AMD-P	94-13-044
392-196-040	REP-P	94-11-120	399-20-020	PREP	94-21-059	419-72-015	AMD-S	94-24-086
392-196-040	REP	94-16-019	399-30-040	PREP	94-21-059	419-72-020	AMD-P	94-13-044
392-196-045	REP-P	94-11-120	415-02-030	AMD-P	94-05-012	419-72-020	AMD-S	94-24-086
392-196-045	REP	94-16-019	415-02-030	AMD	94-09-039	419-72-025	AMD-P	94-13-044
392-196-050	REP-P	94-11-120	415-02-110	NEW-P	94-05-012	419-72-025	AMD-S	94-24-086
392-196-050	REP	94-16-019	415-02-110	NEW	94-09-039	419-72-030	AMD-P	94-13-044
392-196-055	AMD-P	94-11-120	415-100-190	NEW-P	94-07-143	419-72-030	REP-S	94-24-086
392-196-055	AMD	94-16-019	415-100-190	NEW	94-11-008	419-72-035	AMD-P	94-13-044
392-196-060	AMD-P	94-11-120	415-104-111	NEW-P	94-05-013	419-72-035	REP-S	94-24-086
392-196-060	AMD	94-16-019	415-104-111	NEW	94-09-040	419-72-040	AMD-P	94-13-044
392-196-066	REP-P	94-11-120	415-108-010	AMD-P	94-07-144	419-72-040	REP-S	94-24-086
392-196-066	REP	94-16-019	415-108-010	AMD	94-11-009	419-72-041	NEW-S	94-24-086
392-196-077	NEW-P	94-11-120	415-108-461	NEW-P	94-13-048	419-72-045	AMD-P	94-13-044
392-196-077	NEW	94-16-019	415-108-461	NEW-S	94-13-197	419-72-045	AMD-S	94-24-086
392-196-080	REP-P	94-11-120	415-108-461	NEW	94-16-086	419-72-050	AMD-P	94-13-044
392-196-080	REP	94-16-019	415-108-462	NEW-P	94-13-048	419-72-050	AMD-S	94-24-086
392-196-085	REP-P	94-11-120	415-108-462	NEW-S	94-13-197	419-72-055	AMD-P	94-13-044
392-196-085	REP	94-16-019	415-108-462	NEW	94-16-086	419-72-055	REP-S	94-24-086
392-196-086	NEW-P	94-11-120	415-108-510	AMD-P	94-07-144	419-72-060	AMD-P	94-13-044
392-196-086	NEW	94-16-019	415-108-510	AMD	94-11-009	419-72-060	AMD-S	94-24-086
392-196-089	NEW-P	94-11-120	415-108-530	NEW-P	94-07-144	419-72-065	AMD-P	94-13-044
392-196-089	NEW	94-16-019	415-108-530	NEW	94-11-009	419-72-065	AMD-S	94-24-086
392-196-095	REP-P	94-11-120	415-108-540	NEW-P	94-07-144	419-72-068	NEW-P	94-13-044
392-196-095	REP	94-16-019	415-108-540	NEW	94-11-009	419-72-070	AMD-P	94-13-044
392-196-100	AMD-P	94-11-120	415-108-550	NEW-P	94-08-087	419-72-070	AMD-S	94-24-086
392-196-100	AMD	94-16-019	415-108-550	NEW	94-12-014	419-72-075	AMD-P	94-13-044
392-196-105	REP-P	94-11-120	415-108-560	NEW-P	94-08-087	419-72-075	AMD-S	94-24-086
392-196-105	REP	94-16-019	415-108-560	NEW	94-12-014	419-72-080	AMD-P	94-13-044
392-202-110	AMD-P	94-16-022	415-108-570	NEW-P	94-08-087	419-72-080	AMD-S	94-24-086
392-202-110	AMD	94-20-008	415-108-570	NEW	94-12-014	419-72-090	REP-P	94-13-044
392-202-120	AMD-P	94-16-022	415-108-580	NEW-P	94-05-013	419-72-090	REP-S	94-24-086
392-202-120	AMD	94-20-008	415-108-580	NEW	94-09-040	419-72-095	REP-P	94-13-044
392-320-005	NEW-P	94-04-025	415-112-015	AMD-P	94-07-144	419-72-095	REP-S	94-24-086
392-320-005	NEW	94-07-102	415-112-015	AMD	94-11-009	434-55	PREP	94-12-085
392-320-010	NEW-P	94-04-025	415-112-409	NEW-P	94-13-048	434-55-015	AMD-P	94-16-148
392-320-010	NEW	94-07-102	415-112-415	AMD-P	94-07-144	434-55-015	AMD	94-19-003
392-320-015	NEW-P	94-04-025	415-112-415	AMD	94-11-009	434-55-016	AMD-P	94-16-148
392-320-015	NEW	94-07-102	415-112-415	PREP	94-16-018	434-55-016	AMD	94-19-003
392-320-020	NEW-P	94-04-025	415-112-415	AMD-P	94-18-101	434-55-030	REP-P	94-16-148
392-320-020	NEW	94-07-102	415-112-415	AMD	94-23-049	434-55-030	REP	94-19-003
392-320-025	NEW-P	94-04-025	415-112-840	NEW-P	94-05-013	434-55-040	AMD-P	94-16-148
392-320-025	NEW	94-07-102	415-112-840	NEW-P	94-07-144	434-55-040	AMD	94-19-003
392-320-030	NEW-P	94-04-025	415-112-840	NEW	94-09-040	434-55-055	AMD-P	94-16-148
392-320-030	NEW	94-07-102	415-112-850	NEW	94-11-009	434-55-055	AMD	94-19-003
392-320-035	NEW-P	94-04-025	415-113-010	REP-P	94-19-101	434-55-060	AMD-P	94-16-148
392-320-035	NEW	94-07-102	415-113-020	REP-P	94-19-101	434-55-060	AMD	94-19-003
392-320-040	NEW-P	94-04-025	415-113-030	AMD-P	94-19-101	434-55-065	AMD-P	94-16-148
392-320-040	NEW	94-07-102	415-113-035	NEW-P	94-19-101	434-55-065	AMD	94-19-003
392-320-045	NEW-P	94-04-025	415-113-040	REP-P	94-19-101	434-55-066	AMD-P	94-16-148
392-320-045	NEW	94-07-102	415-113-045	NEW-P	94-19-101	434-55-066	AMD	94-19-003
392-320-050	NEW-P	94-04-025	415-113-050	REP-P	94-19-101	434-55-070	NEW-P	94-16-148
392-320-050	NEW	94-07-102	415-113-055	NEW-P	94-19-101	434-55-070	NEW	94-19-003
392-320-055	NEW-P	94-04-025	415-113-060	REP-P	94-19-101	434-55-080	NEW-P	94-16-148
392-320-055	NEW	94-07-102	415-113-065	NEW-P	94-19-101	434-55-080	NEW	94-19-003
392-320-060	NEW-P	94-04-025	415-113-070	NEW-P	94-19-101	434-60-210	NEW	94-07-018
392-320-060	NEW	94-07-102	415-113-080	NEW-P	94-19-101	434-60-215	NEW	94-07-018
392-330-010	NEW-P	94-08-074	415-113-090	NEW-P	94-19-101	434-60-220	NEW	94-07-018
392-330-010	NEW	94-12-019	415-113-100	NEW-P	94-19-101	434-60-230	NEW	94-07-018
392-330-020	NEW-P	94-08-074	419-18	PREP	95-01-121	434-60-240	NEW	94-07-018
392-330-020	NEW	94-12-019	419-70	AMD-C	94-18-107	434-60-250	NEW	94-07-018
392-330-030	NEW-P	94-08-074	419-70-010	AMD-P	94-13-043	434-60-260	NEW	94-07-018
392-330-030	NEW	94-12-019	419-70-010	REP-P	94-24-086	434-60-270	NEW	94-07-018
392-330-040	NEW-P	94-08-074	419-70-020	AMD-P	94-13-043	434-60-280	NEW	94-07-018

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
434-60-290	NEW	94-07-018	434-663-240	NEW	94-04-102	456-09-725	PREP	94-20-067
434-60-300	NEW	94-07-018	434-663-250	NEW	94-04-102	456-09-725	AMD-P	95-01-101
434-60-310	NEW	94-07-018	434-663-260	NEW	94-04-102	456-09-730	PREP	94-20-067
434-60-320	NEW	94-07-018	434-663-300	NEW	94-04-102	456-09-730	AMD-P	95-01-101
434-60-330	NEW	94-07-018	434-663-310	NEW	94-04-102	456-09-930	PREP	94-20-067
434-60-340	NEW	94-07-018	434-663-320	NEW	94-04-102	456-09-930	AMD-P	95-01-101
434-60-350	NEW	94-07-018	434-663-400	NEW	94-04-102	456-09-935	PREP	94-20-067
434-110-010	AMD-P	94-16-149	434-663-410	NEW	94-04-102	456-09-935	AMD-P	95-01-101
434-110-010	AMD	94-19-004	434-663-420	NEW	94-04-102	456-09-945	PREP	94-20-067
434-110-060	AMD-P	94-16-149	434-663-430	NEW	94-04-102	456-09-945	AMD-P	95-01-101
434-110-060	AMD	94-19-004	434-663-440	NEW	94-04-102	456-09-955	PREP	94-20-067
434-110-070	AMD-E	94-12-086	434-663-450	NEW	94-04-102	456-09-955	AMD-P	95-01-101
434-110-070	AMD-P	94-16-149	434-663-460	NEW	94-04-102	456-10-010	AMD-P	94-03-057
434-110-070	AMD	94-19-004	434-663-470	NEW	94-04-102	456-10-010	AMD	94-07-043
434-110-075	AMD-E	94-12-086	434-663-480	NEW	94-04-102	456-10-110	PREP	94-20-066
434-110-075	AMD-P	94-16-149	434-663-490	NEW	94-04-102	456-10-110	AMD-P	95-01-102
434-110-075	AMD	94-19-004	434-663-500	NEW	94-04-102	456-10-140	PREP	94-20-066
434-110-120	AMD-P	94-16-149	434-663-510	NEW	94-04-102	456-10-140	AMD-P	95-01-102
434-110-120	AMD	94-19-004	434-663-520	NEW	94-04-102	456-10-320	PREP	94-20-066
434-120-100	PREP	94-22-012	434-663-530	NEW	94-04-102	456-10-320	AMD-P	95-01-102
434-120-105	PREP	94-22-012	434-663-600	NEW	94-04-102	456-10-325	AMD-P	94-03-057
434-120-105	PREP	94-23-051	434-663-610	NEW	94-04-102	456-10-325	AMD	94-07-043
434-120-120	NEW-W	94-10-054	434-663-620	NEW	94-04-102	456-10-325	PREP	94-20-066
434-120-125	PREP	94-22-012	434-663-630	NEW	94-04-102	456-10-325	AMD-P	95-01-102
434-120-130	PREP	94-22-012	440-22-010	PREP	94-19-031	456-10-330	PREP	94-20-066
434-120-145	PREP	94-22-012	440-22-010	AMD-E	94-21-080	456-10-330	AMD-P	95-01-102
434-120-215	PREP	94-22-012	440-22-010	AMD-P	94-21-081	456-10-340	PREP	94-20-066
434-120-215	PREP	94-23-051	440-22-010	AMD	94-23-133	456-10-340	AMD-P	95-01-102
434-120-240	PREP	94-23-051	440-22-110	PREP	94-19-031	456-10-360	AMD-P	94-03-057
434-120-255	PREP	94-22-012	440-22-110	AMD-E	94-21-080	456-10-360	AMD	94-07-043
434-120-255	PREP	94-23-051	440-22-110	AMD-P	94-21-081	456-10-360	PREP	94-20-066
434-120-300	PREP	94-22-012	440-22-110	AMD	94-23-133	456-10-360	AMD-P	95-01-102
434-120-305	PREP	94-23-051	440-22-120	PREP	94-19-031	456-10-505	PREP	94-20-066
434-120-310	PREP	94-22-012	440-22-120	AMD-E	94-21-080	456-10-505	AMD-P	95-01-102
434-120-310	PREP	94-23-051	440-22-120	AMD-P	94-21-081	456-10-510	PREP	94-20-066
434-120-315	PREP	94-23-051	440-22-120	AMD	94-23-133	456-10-510	AMD-P	95-01-102
434-120-320	PREP	94-22-012	440-22-205	NEW-W	94-07-072	456-10-525	PREP	94-20-066
434-120-335	PREP	94-23-051	446-65	AMD-P	94-05-023	456-10-525	AMD-P	95-01-102
434-130-010	NEW-P	94-16-147	446-65	AMD	94-08-004	456-10-530	PREP	94-20-066
434-130-010	NEW	94-19-005	446-65-005	AMD-P	94-05-023	456-10-530	AMD-P	95-01-102
434-130-020	NEW-P	94-16-147	446-65-005	AMD	94-08-004	456-10-730	PREP	94-20-066
434-130-020	NEW	94-19-005	448-13-080	AMD-W	94-07-073	456-10-730	AMD-P	95-01-102
434-130-030	NEW-P	94-16-147	448-13-210	AMD-W	94-07-073	456-10-755	PREP	94-20-066
434-130-030	NEW	94-19-005	456-09-010	AMD-P	94-03-056	456-10-755	AMD-P	95-01-102
434-130-040	NEW-P	94-16-147	456-09-010	AMD	94-07-044	458-08	PREP	94-23-113
434-130-040	NEW	94-19-005	456-09-110	PREP	94-20-067	458-16-100	AMD	94-07-008
434-130-050	NEW-P	94-16-147	456-09-110	AMD-P	95-01-101	458-16-110	AMD	94-07-008
434-130-050	NEW	94-19-005	456-09-130	PREP	94-20-067	458-16-111	AMD	94-07-008
434-130-060	NEW-P	94-16-147	456-09-130	AMD-P	95-01-101	458-16-130	AMD	94-07-008
434-130-060	NEW	94-19-005	456-09-230	PREP	94-20-067	458-16-150	AMD	94-07-008
434-130-070	NEW-P	94-16-147	456-09-230	AMD-P	95-01-101	458-16-165	NEW	94-07-008
434-130-070	NEW	94-19-005	456-09-320	PREP	94-20-067	458-16-180	AMD	94-07-008
434-130-080	NEW-P	94-16-147	456-09-320	AMD-P	95-01-101	458-16-190	AMD	94-07-008
434-130-080	NEW	94-19-005	456-09-325	AMD-P	94-03-056	458-16-200	AMD	94-07-008
434-130-090	NEW-P	94-16-147	456-09-325	AMD	94-07-044	458-16-210	AMD	94-07-008
434-130-090	NEW	94-19-005	456-09-325	PREP	94-20-067	458-16-215	PREP	94-07-123
434-130-100	NEW-P	94-16-147	456-09-325	AMD-P	95-01-101	458-16-215	NEW-P	94-11-099
434-130-100	NEW	94-19-005	456-09-330	PREP	94-20-067	458-16-215	NEW	94-15-041
434-615-030	AMD-P	94-15-072	456-09-330	AMD-P	95-01-101	458-16-220	AMD	94-07-008
434-615-030	AMD-C	94-19-033	456-09-340	PREP	94-20-067	458-16-230	AMD	94-07-008
434-615-030	AMD	94-21-089	456-09-340	AMD-P	95-01-101	458-16-240	AMD	94-07-008
434-663-001	NEW-W	94-03-081	456-09-350	PREP	94-20-067	458-16-245	NEW	94-07-008
434-663-005	NEW-W	94-03-081	456-09-350	AMD-P	95-01-101	458-16-260	AMD	94-07-008
434-663-020	NEW-W	94-03-081	456-09-365	AMD-P	94-03-056	458-16-265	REP-P	94-22-111
434-663-030	NEW-W	94-03-081	456-09-365	AMD	94-07-044	458-16-265	REP-E	95-01-079
434-663-050	NEW-W	94-03-081	456-09-365	PREP	94-20-067	458-16-270	AMD	94-07-008
434-663-060	NEW-W	94-03-081	456-09-365	AMD-P	95-01-101	458-16-280	AMD	94-07-008
434-663-070	NEW-W	94-03-081	456-09-540	PREP	94-20-067	458-16-282	AMD	94-07-008
434-663-100	NEW	94-04-102	456-09-540	AMD-P	95-01-101	458-16-284	NEW	94-07-008
434-663-200	NEW	94-04-102	456-09-705	PREP	94-20-067	458-16-286	NEW	94-07-008
434-663-210	NEW	94-04-102	456-09-705	AMD-P	95-01-101	458-16-290	AMD	94-07-008
434-663-220	NEW	94-04-102	456-09-710	PREP	94-20-067	458-16-300	AMD	94-07-008
434-663-230	NEW	94-04-102	456-09-710	AMD-P	95-01-101	458-16-310	AMD	94-07-008

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
458-16-320	NEW	94-07-008	458-30-215	PREP	94-13-096	458-61-120	AMD	94-04-088
458-16-330	NEW	94-07-008	458-30-220	PREP	94-13-096	458-61-130	AMD	94-04-088
458-16A-010	PREP	94-10-060	458-30-225	PREP	94-13-096	458-61-140	REP	94-04-088
458-16A-010	NEW-P	94-22-110	458-30-230	PREP	94-13-096	458-61-150	AMD	94-04-088
458-16A-010	NEW-E	95-01-078	458-30-232	PREP	94-13-096	458-61-200	AMD	94-04-088
458-16A-020	PREP	94-10-060	458-30-235	PREP	94-13-096	458-61-210	AMD	94-04-088
458-16A-020	NEW-P	94-22-111	458-30-240	PREP	94-13-096	458-61-220	AMD	94-04-088
458-16A-020	NEW-E	95-01-079	458-30-242	PREP	94-13-096	458-61-225	NEW	94-04-088
458-18-220	AMD	94-05-063	458-30-245	PREP	94-13-096	458-61-230	AMD	94-04-088
458-18-220	PREP	94-23-052	458-30-250	PREP	94-13-096	458-61-235	NEW	94-04-088
458-19-005	NEW	94-07-066	458-30-255	PREP	94-13-096	458-61-240	REP	94-04-088
458-19-010	NEW	94-07-066	458-30-260	PREP	94-13-096	458-61-250	AMD	94-04-088
458-19-015	NEW	94-07-066	458-30-262	AMD	94-05-062	458-61-255	NEW	94-04-088
458-19-020	NEW	94-07-066	458-30-265	PREP	94-13-096	458-61-270	REP	94-04-088
458-19-025	NEW	94-07-066	458-30-267	PREP	94-13-096	458-61-280	REP	94-04-088
458-19-030	NEW	94-07-066	458-30-270	PREP	94-13-096	458-61-290	AMD	94-04-088
458-19-035	NEW	94-07-066	458-30-275	PREP	94-13-096	458-61-300	AMD	94-04-088
458-19-040	NEW	94-07-066	458-30-280	PREP	94-13-096	458-61-310	REP	94-04-088
458-19-045	NEW	94-07-066	458-30-285	PREP	94-13-096	458-61-320	REP	94-04-088
458-19-050	NEW	94-07-066	458-30-290	PREP	94-13-096	458-61-330	AMD	94-04-088
458-19-055	NEW	94-07-066	458-30-295	PREP	94-13-096	458-61-335	AMD	94-04-088
458-19-060	NEW	94-07-066	458-30-300	PREP	94-13-096	458-61-340	AMD	94-04-088
458-19-065	NEW	94-07-066	458-30-305	PREP	94-13-096	458-61-360	REP	94-04-088
458-19-070	NEW	94-07-066	458-30-310	PREP	94-13-096	458-61-370	AMD	94-04-088
458-19-075	NEW	94-07-066	458-30-315	PREP	94-13-096	458-61-374	NEW	94-04-088
458-19-080	NEW	94-07-066	458-30-317	PREP	94-13-096	458-61-375	NEW	94-04-088
458-20-10001	PREP	94-23-115	458-30-320	PREP	94-13-096	458-61-376	NEW	94-04-088
458-20-10002	PREP	94-23-116	458-30-325	PREP	94-13-096	458-61-380	REP	94-04-088
458-20-101	PREP	94-18-131	458-30-330	PREP	94-13-096	458-61-390	REP	94-04-088
458-20-102	AMD-E	94-05-083	458-30-335	PREP	94-13-096	458-61-400	AMD	94-04-088
458-20-102	AMD-P	94-06-004	458-30-340	PREP	94-13-096	458-61-410	AMD	94-04-088
458-20-102	AMD-E	94-13-030	458-30-345	PREP	94-13-096	458-61-411	NEW	94-04-088
458-20-102	AMD	94-13-031	458-30-350	PREP	94-13-096	458-61-412	NEW	94-04-088
458-20-104	PREP	94-18-130	458-30-355	PREP	94-13-096	458-61-420	AMD	94-04-088
458-20-121	AMD	94-13-033	458-30-500	PREP	94-13-096	458-61-425	AMD	94-04-088
458-20-122	AMD-P	94-03-035	458-30-510	PREP	94-13-096	458-61-430	AMD	94-04-088
458-20-122	AMD	94-07-049	458-30-520	PREP	94-13-096	458-61-440	REP	94-04-088
458-20-125	REP-P	94-03-037	458-30-530	PREP	94-13-096	458-61-450	REP-W	94-13-089
458-20-125	REP	94-07-051	458-30-540	PREP	94-13-096	458-61-460	REP	94-04-088
458-20-165	AMD	94-09-016	458-30-550	PREP	94-13-096	458-61-470	AMD	94-04-088
458-20-166	AMD	94-05-001	458-30-560	PREP	94-13-096	458-61-480	AMD	94-04-088
458-20-167	AMD-P	94-03-047	458-30-570	PREP	94-13-096	458-61-490	REP	94-04-088
458-20-167	AMD	94-07-047	458-30-580	PREP	94-13-096	458-61-500	REP	94-04-088
458-20-168	AMD-E	94-05-084	458-30-590	AMD-P	94-08-082	458-61-510	AMD	94-04-088
458-20-168	AMD	94-11-097	458-30-590	AMD	94-11-098	458-61-520	AMD	94-04-088
458-20-174	AMD-P	94-07-023	458-30-590	PREP	94-22-109	458-61-530	REP	94-04-088
458-20-174	AMD	94-18-003	458-40-540	PREP	94-18-133	458-61-540	AMD	94-04-088
458-20-17401	NEW-P	94-07-024	458-40-540	AMD-P	94-22-108	458-61-545	AMD	94-04-088
458-20-17401	NEW	94-18-004	458-40-640	AMD-P	94-22-112	458-61-548	NEW-W	94-13-089
458-20-179	AMD	94-13-034	458-40-650	AMD-P	94-10-063	458-61-550	AMD	94-04-088
458-20-185	AMD-P	94-07-025	458-40-650	AMD	94-14-048	458-61-553	NEW	94-04-088
458-20-185	AMD	94-10-061	458-40-660	AMD-P	94-10-063	458-61-555	AMD	94-04-088
458-20-186	AMD-P	94-07-026	458-40-660	AMD	94-14-048	458-61-560	REP	94-04-088
458-20-186	AMD	94-10-062	458-40-660	PREP	94-18-132	458-61-570	REP	94-04-088
458-20-18601	PREP	94-23-114	458-40-660	AMD-P	94-22-112	458-61-590	AMD	94-04-088
458-20-209	AMD-P	94-03-036	458-40-670	AMD-P	94-10-063	458-61-600	AMD	94-04-088
458-20-209	AMD	94-07-050	458-40-670	AMD	94-14-048	458-61-610	AMD	94-04-088
458-20-210	AMD-P	94-03-034	458-40-670	AMD-P	94-22-112	458-61-620	REP	94-04-088
458-20-210	AMD	94-07-048	458-40-680	AMD-P	94-22-107	458-61-630	REP	94-04-088
458-20-226	AMD-P	94-10-013	458-53-160	AMD	94-05-064	458-61-640	AMD	94-04-088
458-20-226	AMD	94-23-053	458-61-010	REP	94-04-088	458-61-650	AMD	94-04-088
458-20-238	PREP	94-03-046	458-61-015	NEW	94-04-088	458-61-660	AMD	94-04-088
458-20-24003	PREP	94-20-129	458-61-020	REP	94-04-088	458-61-670	AMD	94-04-088
458-20-258	AMD-E	94-05-086	458-61-025	NEW	94-04-088	458-61-680	REP	94-04-088
458-20-258	AMD-E	94-13-029	458-61-030	AMD	94-04-088	458-61-690	REP	94-04-088
458-20-258	AMD-E	94-20-130	458-61-040	REP	94-04-088	460-44A-500	AMD	94-03-061
458-20-261	NEW-P	94-07-027	458-61-050	AMD	94-04-088	460-44A-501	AMD	94-03-061
458-20-261	NEW-W	94-20-093	458-61-060	AMD	94-04-088	460-44A-502	AMD	94-03-061
458-20-901	NEW-E	94-05-085	458-61-070	AMD	94-04-088	460-44A-504	AMD	94-03-061
458-20-901	NEW-E	94-13-032	458-61-080	AMD	94-04-088	460-44A-505	AMD	94-03-061
458-30-200	PREP	94-13-096	458-61-090	AMD	94-04-088	460-44A-506	AMD	94-03-061
458-30-205	PREP	94-13-096	458-61-100	AMD	94-04-088	460-52A-010	PREP	94-24-045
458-30-210	PREP	94-13-096	458-61-110	REP	94-04-088	460-80-315	PREP	94-21-038

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
461-08-001	NEW-E	94-07-060	468-10-150	REP	94-14-101	468-16-180	AMD	94-05-004
461-08-001	NEW-P	94-07-095	468-10-160	REP-P	94-12-070	468-16-210	AMD	94-05-004
461-08-001	NEW	94-12-028	468-10-160	REP	94-14-101	468-38-020	AMD-P	94-03-042
461-08-047	NEW-E	94-07-060	468-10-170	REP-P	94-12-070	468-38-020	AMD	94-07-054
461-08-047	NEW-P	94-07-095	468-10-170	REP	94-14-101	468-38-030	AMD-P	94-03-042
461-08-047	NEW	94-12-028	468-10-180	REP-P	94-12-070	468-38-030	AMD	94-07-054
461-08-144	NEW-E	94-07-060	468-10-180	REP	94-14-101	468-38-075	AMD-E	94-02-064
461-08-144	NEW-P	94-07-095	468-10-190	REP-P	94-12-070	468-38-075	AMD-P	94-03-043
461-08-144	NEW	94-12-028	468-10-190	REP	94-14-101	468-38-075	AMD	94-07-055
461-08-156	NEW-E	94-07-060	468-10-200	REP-P	94-12-070	468-48-010	NEW-P	94-08-054
461-08-156	NEW-P	94-07-095	468-10-200	REP	94-14-101	468-48-010	NEW	94-14-065
461-08-156	NEW	94-12-028	468-10-210	REP-P	94-12-070	468-48-020	NEW-P	94-08-054
461-08-160	AMD-E	94-07-060	468-10-210	REP	94-14-101	468-48-020	NEW	94-14-065
461-08-160	AMD-P	94-07-095	468-10-220	REP-P	94-12-070	468-66-010	AMD-P	94-09-031
461-08-160	AMD	94-12-028	468-10-220	REP	94-14-101	468-66-010	AMD	94-12-049
461-08-165	REP-E	94-07-060	468-10-230	REP-P	94-12-070	468-66-050	AMD-P	94-09-031
461-08-165	REP-P	94-07-095	468-10-230	REP	94-14-101	468-66-050	AMD	94-12-049
461-08-165	REP	94-12-028	468-10-232	REP-P	94-12-070	468-66-055	NEW-P	94-09-031
461-08-167	NEW-E	94-07-060	468-10-232	REP	94-14-101	468-66-055	NEW	94-12-049
461-08-167	NEW-P	94-07-095	468-10-234	REP-P	94-12-070	468-66-060	AMD-P	94-09-031
461-08-167	NEW	94-12-028	468-10-234	REP	94-14-101	468-66-060	AMD	94-12-049
461-08-237	NEW-E	94-07-060	468-10-240	REP-P	94-12-070	468-66-080	AMD-P	94-09-031
461-08-237	NEW-P	94-07-095	468-10-240	REP	94-14-101	468-66-080	AMD	94-12-049
461-08-237	NEW	94-12-028	468-10-250	REP-P	94-12-070	468-66-130	AMD-P	94-09-031
463-39-005	AMD-P	94-12-036	468-10-250	REP	94-14-101	468-66-130	AMD	94-12-049
463-39-005	AMD	94-16-031	468-10-260	REP-P	94-12-070	468-66-175	REP-P	94-09-031
463-39-070	NEW-P	94-12-036	468-10-260	REP	94-14-101	468-66-175	REP	94-12-049
463-39-070	NEW	94-16-031	468-10-270	REP-P	94-12-070	468-95-100	AMD-E	94-23-041
463-39-090	NEW-P	94-12-036	468-10-270	REP	94-14-101	468-95-100	AMD-E	94-23-050
463-39-090	NEW	94-16-031	468-10-280	REP-P	94-12-070	468-100-010	AMD-P	94-12-071
463-39-115	AMD-P	94-12-036	468-10-280	REP	94-14-101	468-100-010	AMD	94-14-102
463-39-115	AMD	94-16-031	468-10-290	REP-P	94-12-070	468-300-010	AMD-P	94-04-077
463-39-230	NEW-P	94-12-036	468-10-290	REP	94-14-101	468-300-010	AMD	94-07-104
463-39-230	NEW	94-16-031	468-10-300	REP-P	94-12-070	468-300-010	AMD-P	94-14-026
463-54-020	AMD-P	94-12-036	468-10-300	REP	94-14-101	468-300-010	AMD	94-18-014
463-54-020	AMD	94-16-031	468-10-310	REP-P	94-12-070	468-300-020	AMD-P	94-04-077
463-54-040	AMD-P	94-12-036	468-10-310	REP	94-14-101	468-300-020	AMD	94-07-104
463-54-040	AMD	94-16-031	468-10-320	REP-P	94-12-070	468-300-020	AMD-P	94-14-026
463-54-050	AMD-P	94-12-036	468-10-320	REP	94-14-101	468-300-020	AMD	94-18-014
463-54-050	AMD	94-16-031	468-10-400	NEW-P	94-12-070	468-300-040	AMD-P	94-04-077
463-54-060	AMD-P	94-12-036	468-10-400	NEW	94-14-101	468-300-040	AMD	94-07-104
463-54-060	AMD	94-16-031	468-10-410	NEW-P	94-12-070	468-300-040	AMD-P	94-14-026
463-54-070	AMD-P	94-12-036	468-10-410	NEW	94-14-101	468-300-040	AMD	94-18-014
463-54-070	AMD	94-16-031	468-10-420	NEW-P	94-12-070	479-01	PREP	94-17-022
468-10-010	REP-P	94-12-070	468-10-420	NEW	94-14-101	479-01-010	AMD-P	95-01-054
468-10-010	REP	94-14-101	468-10-430	NEW-P	94-12-070	479-01-020	AMD-P	95-01-054
468-10-020	REP-P	94-12-070	468-10-430	NEW	94-14-101	479-01-030	AMD-P	95-01-054
468-10-020	REP	94-14-101	468-10-440	NEW-P	94-12-070	479-01-040	AMD-P	95-01-054
468-10-030	REP-P	94-12-070	468-10-440	NEW	94-14-101	479-02	PREP	94-17-023
468-10-030	REP	94-14-101	468-10-450	NEW-P	94-12-070	479-02-030	AMD-P	95-01-054
468-10-040	REP-P	94-12-070	468-10-450	NEW	94-14-101	479-02-070	AMD-P	95-01-054
468-10-040	REP	94-14-101	468-10-460	NEW-P	94-12-070	479-02-100	AMD-P	95-01-054
468-10-050	REP-P	94-12-070	468-10-460	NEW	94-14-101	479-02-110	AMD-P	95-01-054
468-10-050	REP	94-14-101	468-10-470	NEW-P	94-12-070	479-02-120	AMD-P	95-01-054
468-10-060	REP-P	94-12-070	468-10-470	NEW	94-14-101	479-02-130	AMD-P	95-01-054
468-10-060	REP	94-14-101	468-10-480	NEW-P	94-12-070	479-12	PREP	94-17-024
468-10-070	REP-P	94-12-070	468-10-480	NEW	94-14-101	479-12-005	NEW-P	95-01-054
468-10-070	REP	94-14-101	468-10-490	NEW-P	94-12-070	479-12-008	NEW-P	95-01-054
468-10-080	REP-P	94-12-070	468-10-490	NEW	94-14-101	479-12-010	AMD-P	95-01-054
468-10-080	REP	94-14-101	468-10-500	NEW-P	94-12-070	479-12-020	AMD-P	95-01-054
468-10-090	REP-P	94-12-070	468-10-500	NEW	94-14-101	479-13	PREP	94-17-025
468-10-090	REP	94-14-101	468-10-510	NEW-P	94-12-070	479-13-010	AMD-P	95-01-054
468-10-100	REP-P	94-12-070	468-10-510	NEW	94-14-101	479-13-011	NEW-P	95-01-054
468-10-100	REP	94-14-101	468-10-520	NEW-P	94-12-070	479-13-025	AMD-P	95-01-054
468-10-110	REP-P	94-12-070	468-10-520	NEW	94-14-101	479-13-035	AMD-P	95-01-054
468-10-110	REP	94-14-101	468-10-530	NEW-P	94-12-070	479-13-060	REP-P	95-01-054
468-10-120	REP-P	94-12-070	468-10-530	NEW	94-14-101	479-13-070	AMD-P	95-01-054
468-10-120	REP	94-14-101	468-16-090	AMD	94-05-004	479-16	PREP	94-17-026
468-10-130	REP-P	94-12-070	468-16-110	AMD	94-05-004	479-16-010	AMD-P	95-01-054
468-10-130	REP	94-14-101	468-16-120	AMD	94-05-004	479-16-015	AMD-P	95-01-054
468-10-140	REP-P	94-12-070	468-16-130	AMD	94-05-004	479-16-016	AMD-P	95-01-054
468-10-140	REP	94-14-101	468-16-150	AMD	94-05-004	479-16-030	AMD-P	95-01-054
468-10-150	REP-P	94-12-070	468-16-160	AMD	94-05-004	479-16-035	AMD-P	95-01-054

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
479-16-040	AMD-P	95-01-054	479-410	PREP	94-17-032	480-30-100	AMD-P	94-11-104
479-16-045	AMD-P	95-01-054	479-410-010	NEW-P	95-01-054	480-30-100	AMD	94-14-013
479-16-060	AMD-P	95-01-054	479-410-020	NEW-P	95-01-054	480-35-040	AMD-P	94-10-071
479-16-070	REP-P	95-01-054	479-410-100	NEW-P	95-01-054	480-35-040	AMD	94-14-010
479-16-072	REP-P	95-01-054	479-410-150	NEW-P	95-01-054	480-35-080	AMD-P	94-10-071
479-16-080	AMD-P	95-01-054	479-410-160	NEW-P	95-01-054	480-35-080	AMD	94-14-010
479-16-085	NEW-P	95-01-054	479-410-170	NEW-P	95-01-054	480-35-090	AMD-P	94-10-071
479-16-090	REP-P	95-01-054	479-410-180	NEW-P	95-01-054	480-35-090	AMD	94-14-010
479-16-091	REP-P	95-01-054	479-410-200	NEW-P	95-01-054	480-35-100	AMD-P	94-10-071
479-16-092	REP-P	95-01-054	479-412	PREP	94-17-032	480-35-100	AMD	94-14-010
479-16-094	REP-P	95-01-054	479-412-020	NEW-P	95-01-054	480-35-110	AMD-P	94-10-071
479-16-096	REP-P	95-01-054	479-412-100	NEW-P	95-01-054	480-35-110	AMD	94-14-010
479-16-098	AMD-P	95-01-054	479-412-150	NEW-P	95-01-054	480-35-120	AMD-P	94-10-071
479-20	PREP	94-17-027	479-412-200	NEW-P	95-01-054	480-35-120	AMD	94-14-010
479-20-007	AMD-P	95-01-054	479-412-250	NEW-P	95-01-054	480-40-015	AMD-P	94-11-103
479-20-010	AMD-P	95-01-054	479-412-300	NEW-P	95-01-054	480-40-015	AMD	94-14-014
479-20-011	AMD-P	95-01-054	479-412-310	NEW-P	95-01-054	480-40-070	AMD-P	94-10-072
479-20-013	AMD-P	95-01-054	479-416	PREP	94-17-032	480-40-070	AMD	94-14-015
479-20-016	AMD-P	95-01-054	479-416-010	NEW-P	95-01-054	480-40-075	AMD-P	94-10-072
479-20-020	AMD-P	95-01-054	479-416-015	NEW-P	95-01-054	480-40-075	AMD	94-14-015
479-20-025	AMD-P	95-01-054	479-416-016	NEW-P	95-01-054	480-40-110	AMD-P	94-10-072
479-20-027	AMD-P	95-01-054	479-416-018	NEW-P	95-01-054	480-40-110	AMD	94-14-015
479-20-031	AMD-P	95-01-054	479-416-020	NEW-P	95-01-054	480-40-120	AMD-P	94-10-072
479-20-033	REP-P	95-01-054	479-416-030	NEW-P	95-01-054	480-40-120	AMD	94-14-015
479-20-036	REP-P	95-01-054	479-416-035	NEW-P	95-01-054	480-40-130	AMD-P	94-10-072
479-20-037	AMD-P	95-01-054	479-416-040	NEW-P	95-01-054	480-40-130	AMD	94-14-015
479-20-075	REP-P	95-01-054	479-416-045	NEW-P	95-01-054	480-40-140	REP-P	94-10-072
479-20-086	AMD-P	95-01-054	479-416-050	NEW-P	95-01-054	480-40-140	REP	94-14-015
479-20-095	AMD-P	95-01-054	479-420	PREP	94-17-032	480-50	PREP	94-24-087
479-24	PREP	94-17-028	479-420-010	NEW-P	95-01-054	480-50-010	AMD	94-03-003
479-24-030	AMD-P	95-01-054	479-420-011	NEW-P	95-01-054	480-50-040	AMD	94-03-003
479-112	PREP	94-17-029	479-420-013	NEW-P	95-01-054	480-60-990	AMD-P	94-07-138
479-112	AMD-P	95-01-054	479-420-016	NEW-P	95-01-054	480-60-990	AMD	94-11-003
479-112-001	NEW-P	95-01-054	479-420-020	NEW-P	95-01-054	480-62-085	AMD-P	94-07-138
479-112-003	NEW-P	95-01-054	479-420-025	NEW-P	95-01-054	480-62-085	AMD	94-11-003
479-112-005	REP-P	95-01-054	479-420-027	NEW-P	95-01-054	480-62-090	AMD-P	94-07-138
479-112-0055	NEW-P	95-01-054	479-420-031	NEW-P	95-01-054	480-62-090	AMD	94-11-003
479-112-008	AMD-P	95-01-054	479-420-037	NEW-P	95-01-054	480-70-055	AMD-P	94-11-102
479-112-009	AMD-P	95-01-054	479-420-086	NEW-P	95-01-054	480-70-055	AMD	94-14-011
479-112-017	AMD-P	95-01-054	479-420-089	NEW-P	95-01-054	480-70-250	AMD-P	94-07-136
479-113	PREP	94-17-030	479-420-095	NEW-P	95-01-054	480-70-250	AMD	94-11-004
479-113-010	AMD-P	95-01-054	480-04-030	AMD-P	94-07-139	480-70-400	AMD-P	94-11-102
479-113-011	AMD-P	95-01-054	480-04-030	AMD	94-11-002	480-70-400	AMD	94-14-011
479-113-029	AMD-P	95-01-054	480-12-045	AMD-P	94-07-135	480-80-120	PREP	94-16-123
479-113-031	AMD-P	95-01-054	480-12-045	AMD	94-11-022	480-80-125	PREP	94-16-123
479-113-032	REP-P	95-01-054	480-12-050	AMD-P	94-07-135	480-80-390	PREP	95-01-119
479-113-035	AMD-P	95-01-054	480-12-050	AMD	94-11-022	480-90	PREP	94-15-100
479-113-070	NEW-P	95-01-054	480-12-083	AMD-P	94-11-103	480-90-021	PREP	94-15-100
479-116-010	NEW-P	95-01-054	480-12-083	AMD	94-14-014	480-90-021	AMD-P	94-20-101
479-116-016	AMD-P	95-01-054	480-12-137	NEW-P	94-07-134	480-90-021	AMD	95-01-050
479-116-035	AMD-P	95-01-054	480-12-137	NEW	94-11-001	480-90-051	PREP	94-15-100
479-116-045	AMD-P	95-01-054	480-12-180	AMD-P	94-07-135	480-90-051	AMD-P	94-20-101
479-116-070	NEW-P	95-01-054	480-12-180	AMD-W	94-11-019	480-90-051	AMD	95-01-050
479-116-080	NEW-P	95-01-054	480-12-180	AMD-P	94-11-104	480-90-071	PREP	94-15-100
479-120-010	NEW-P	95-01-054	480-12-180	AMD	94-14-013	480-90-071	AMD-P	94-20-101
479-120-011	NEW-P	95-01-054	480-12-190	AMD-P	94-07-135	480-90-071	AMD	95-01-050
479-120-013	NEW-P	95-01-054	480-12-190	AMD	94-11-022	480-90-072	PREP	94-15-100
479-120-016	NEW-P	95-01-054	480-12-260	AMD	94-03-002	480-90-072	AMD-P	94-20-101
479-120-025	NEW-P	95-01-054	480-12-321	AMD	94-03-001	480-90-072	AMD	95-01-050
479-120-027	NEW-P	95-01-054	480-12-455	AMD-P	94-07-134	480-90-096	PREP	94-15-100
479-120-031	NEW-P	95-01-054	480-12-455	AMD	94-11-001	480-90-096	AMD-P	94-20-101
479-120-033	REP-P	95-01-054	480-12-990	AMD-P	94-07-135	480-90-096	AMD	95-01-050
479-120-037	NEW-P	95-01-054	480-12-990	AMD	94-11-022	480-90-166	PREP	94-15-100
479-120-086	NEW-P	95-01-054	480-30-015	AMD-P	94-11-103	480-90-166	AMD-P	94-20-101
479-120-089	NEW-P	95-01-054	480-30-015	AMD	94-14-014	480-90-166	AMD	95-01-050
479-120-095	NEW-P	95-01-054	480-30-032	AMD-P	94-07-137	480-90-171	PREP	94-15-100
479-216	AMD-P	95-01-054	480-30-032	AMD	94-11-021	480-90-171	AMD-P	94-20-101
479-216-050	AMD-P	95-01-054	480-30-050	AMD-P	94-07-137	480-90-171	AMD	95-01-050
479-310	PREP	94-17-031	480-30-050	AMD	94-11-021	480-90-181	PREP	94-15-100
479-310-050	AMD-P	95-01-054	480-30-095	AMD-P	94-07-137	480-90-181	AMD-P	94-20-101
479-310-200	AMD-P	95-01-054	480-30-095	AMD	94-11-021	480-90-181	AMD	95-01-050
479-312	PREP	94-17-031	480-30-100	AMD-P	94-07-137	480-90-211	NEW-P	94-20-101
479-312-100	AMD-P	95-01-054	480-30-100	AMD-W	94-11-020	480-90-211	NEW	95-01-050

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
480-100	PREP	94-15-099	484-20-025	AMD	94-22-050	484-20-111	NEW-S	94-14-037
480-100-021	PREP	94-15-099	484-20-030	AMD-P	94-09-043	484-20-111	NEW	94-22-050
480-100-021	AMD-P	94-20-102	484-20-030	AMD-S	94-14-037	484-20-115	AMD-P	94-09-043
480-100-021	AMD	95-01-051	484-20-030	AMD	94-22-050	484-20-115	AMD-S	94-14-037
480-100-051	PREP	94-15-099	484-20-035	AMD-P	94-09-043	484-20-115	AMD	94-22-050
480-100-051	AMD-P	94-20-102	484-20-035	AMD-S	94-14-037	484-20-116	NEW-P	94-09-043
480-100-051	AMD	95-01-051	484-20-035	AMD	94-22-050	484-20-116	NEW-S	94-14-037
480-100-071	PREP	94-15-099	484-20-040	AMD-P	94-09-043	484-20-116	NEW	94-22-050
480-100-071	AMD-P	94-20-102	484-20-040	AMD-S	94-14-037	484-20-117	NEW-P	94-09-043
480-100-071	AMD	95-01-051	484-20-040	AMD	94-22-050	484-20-117	NEW-S	94-14-037
480-100-072	PREP	94-15-099	484-20-045	AMD-P	94-09-043	484-20-117	NEW	94-22-050
480-100-072	AMD-P	94-20-102	484-20-045	AMD-S	94-14-037	484-20-120	AMD-P	94-09-043
480-100-072	AMD	95-01-051	484-20-045	AMD	94-22-050	484-20-120	AMD-S	94-14-037
480-100-096	PREP	94-15-099	484-20-050	AMD-P	94-09-043	484-20-120	AMD	94-22-050
480-100-096	AMD-P	94-20-102	484-20-050	REP-S	94-14-037	484-20-135	AMD-P	94-09-043
480-100-096	AMD	95-01-051	484-20-050	REP	94-22-050	484-20-135	AMD-S	94-14-037
480-100-141	PREP	94-15-099	484-20-055	AMD-P	94-09-043	484-20-135	AMD	94-22-050
480-100-141	AMD-P	94-20-102	484-20-055	AMD-S	94-14-037	484-20-140	AMD-P	94-09-043
480-100-141	AMD	95-01-051	484-20-055	AMD	94-22-050	484-20-140	AMD-S	94-14-037
480-100-176	PREP	94-15-099	484-20-060	AMD-P	94-09-043	484-20-140	AMD	94-22-050
480-100-176	AMD-P	94-20-102	484-20-060	AMD-S	94-14-037	484-20-145	AMD-P	94-09-043
480-100-176	AMD	95-01-051	484-20-060	AMD	94-22-050	484-20-145	AMD-S	94-14-037
480-100-211	PREP	94-15-099	484-20-061	NEW-P	94-09-043	484-20-145	AMD	94-22-050
480-100-211	AMD-P	94-20-102	484-20-061	NEW-S	94-14-037	484-20-150	AMD-P	94-09-043
480-100-211	AMD	95-01-051	484-20-061	NEW	94-22-050	484-20-150	AMD-S	94-14-037
480-100-251	PREP	95-01-118	484-20-062	NEW-P	94-09-043	484-20-150	AMD	94-22-050
480-100-311	NEW-P	94-20-102	484-20-062	NEW-S	94-14-037	490-500	PREP	94-14-096
480-100-311	NEW	95-01-051	484-20-062	NEW	94-22-050	490-500	AMD-P	94-23-092
480-107	PREP	95-01-118	484-20-063	NEW-P	94-09-043	490-500-005	AMD-P	94-23-092
480-107-020	AMD	94-07-045	484-20-063	NEW-S	94-14-037	490-500-010	AMD-P	94-23-092
480-107-050	AMD	94-07-045	484-20-063	NEW	94-22-050	490-500-015	AMD-P	94-23-092
480-107-060	AMD	94-07-045	484-20-065	AMD	94-04-001	490-500-020	REP-P	94-23-092
480-107-070	AMD	94-07-045	484-20-068	AMD-P	94-09-043	490-500-022	NEW-P	94-23-092
480-107-080	AMD	94-07-045	484-20-068	AMD-S	94-14-037	490-500-025	AMD-P	94-23-092
480-107-100	AMD	94-07-045	484-20-068	AMD	94-22-050	490-500-030	AMD-P	94-23-092
480-107-120	AMD	94-07-045	484-20-070	AMD-P	94-09-043	490-500-050	AMD-P	94-23-092
480-120-056	AMD-P	94-13-027	484-20-070	AMD-S	94-14-037	490-500-055	AMD-P	94-23-092
480-120-056	AMD	94-20-010	484-20-070	AMD	94-22-050	490-500-060	REP-P	94-23-092
480-120-061	AMD-P	94-13-027	484-20-075	REP-P	94-09-043	490-500-065	NEW-P	94-23-092
480-120-061	AMD	94-20-010	484-20-075	REP-S	94-14-037	490-500-070	NEW-P	94-23-092
480-120-081	AMD-P	94-13-027	484-20-075	REP	94-22-050	490-500-075	REP-P	94-23-092
480-120-081	AMD	94-20-010	484-20-080	AMD-P	94-09-043	490-500-077	REP-P	94-23-092
480-120-081	AMD-P	95-01-120	484-20-080	AMD-S	94-14-037	490-500-080	AMD-P	94-23-092
480-120-101	AMD-P	94-13-027	484-20-080	AMD	94-22-050	490-500-085	REP-P	94-23-092
480-120-101	AMD	94-20-010	484-20-085	AMD-P	94-09-043	490-500-090	REP-P	94-23-092
480-120-138	AMD-P	94-13-027	484-20-085	AMD-S	94-14-037	490-500-095	REP-P	94-23-092
480-120-138	AMD	94-20-010	484-20-086	NEW	94-22-050	490-500-100	REP-P	94-23-092
480-120-141	AMD-P	94-13-027	484-20-087	AMD-P	94-09-043	490-500-105	REP-P	94-23-092
480-120-141	AMD	94-20-010	484-20-087	AMD-S	94-14-037	490-500-110	REP-P	94-23-092
480-120-530	PREP	94-23-140	484-20-087	AMD	94-22-050	490-500-120	REP-P	94-23-092
480-149-120	AMD-P	94-11-101	484-20-088	NEW	94-22-050	490-500-145	REP-P	94-23-092
480-149-120	AMD	94-14-012	484-20-089	AMD-P	94-09-043	490-500-170	NEW-P	94-23-092
480-149-120	PREP	94-16-123	484-20-089	AMD-S	94-14-037	490-500-180	AMD-P	94-23-092
484-20	AMD-P	94-09-043	484-20-089	AMD	94-22-050	490-500-185	AMD-P	94-23-092
484-20	AMD-S	94-14-037	484-20-090	AMD-P	94-09-043	490-500-190	AMD-P	94-23-092
484-20	AMD	94-22-050	484-20-090	AMD-S	94-14-037	490-500-200	AMD-P	94-23-092
484-20-010	AMD-P	94-09-043	484-20-090	AMD	94-22-050	490-500-205	NEW-P	94-23-092
484-20-010	AMD-S	94-14-037	484-20-095	AMD-P	94-09-043	490-500-255	REP-P	94-23-092
484-20-010	AMD	94-22-050	484-20-095	AMD-S	94-14-037	490-500-257	AMD-P	94-23-092
484-20-015	AMD-P	94-09-043	484-20-095	AMD	94-22-050	490-500-260	AMD-P	94-23-092
484-20-015	AMD-S	94-14-037	484-20-100	AMD-P	94-09-043	490-500-270	AMD-P	94-23-092
484-20-015	AMD	94-22-050	484-20-100	AMD-S	94-14-037	490-500-275	AMD-P	94-23-092
484-20-020	AMD-P	94-09-043	484-20-100	AMD	94-22-050	490-500-280	REP-P	94-23-092
484-20-020	AMD-S	94-14-037	484-20-103	NEW-P	94-09-043	490-500-300	AMD-P	94-23-092
484-20-020	AMD	94-22-050	484-20-103	NEW-S	94-14-037	490-500-325	AMD-P	94-23-092
484-20-023	AMD-P	94-09-043	484-20-103	NEW	94-22-050	490-500-340	REP-P	94-23-092
484-20-023	AMD-S	94-14-037	484-20-105	AMD-P	94-09-043	490-500-350	AMD-P	94-23-092
484-20-023	AMD	94-22-050	484-20-105	AMD-S	94-14-037	490-500-380	AMD-P	94-23-092
484-20-024	NEW-P	94-09-043	484-20-105	AMD	94-22-050	490-500-385	AMD-P	94-23-092
484-20-024	NEW-S	94-14-037	484-20-110	REP-P	94-09-043	490-500-389	AMD-P	94-23-092
484-20-024	NEW	94-22-050	484-20-110	REP-S	94-14-037	490-500-390	AMD-P	94-23-092
484-20-025	AMD-P	94-09-043	484-20-110	REP	94-22-050	490-500-395	REP-P	94-23-092
484-20-025	AMD-S	94-14-037	484-20-111	NEW-P	94-09-043	490-500-400	REP-P	94-23-092

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
490-500-405	REP-P	94-23-092	504-25-050	AMD-P	94-22-060	516-26-030	AMD	94-17-059
490-500-410	REP-P	94-23-092	504-25-055	AMD-P	94-22-060	516-26-035	AMD-P	94-07-117
490-500-415	REP-P	94-23-092	504-25-060	AMD-P	94-22-060	516-26-035	AMD	94-17-059
490-500-417	REP-P	94-23-092	504-25-080	AMD-P	94-22-060	516-26-040	AMD-P	94-07-117
490-500-418	AMD-P	94-23-092	504-25-100	AMD-P	94-22-060	516-26-040	AMD	94-17-059
490-500-420	AMD-P	94-23-092	504-25-120	AMD-P	94-22-060	516-26-045	AMD-P	94-07-117
490-500-425	REP-P	94-23-092	504-25-138	NEW-P	94-22-060	516-26-045	AMD	94-17-059
490-500-430	AMD-P	94-23-092	504-25-210	AMD-P	94-22-060	516-26-050	AMD-P	94-07-117
490-500-435	AMD-P	94-23-092	504-25-215	AMD-P	94-22-060	516-26-050	AMD	94-17-059
490-500-437	NEW-P	94-23-092	504-25-220	AMD-P	94-22-060	516-26-055	AMD-P	94-07-117
490-500-440	REP-P	94-23-092	504-25-225	AMD-P	94-22-060	516-26-055	AMD	94-17-059
490-500-445	AMD-P	94-23-092	504-25-230	AMD-P	94-22-060	516-26-060	AMD-P	94-07-117
490-500-450	AMD-P	94-23-092	504-25-235	AMD-P	94-22-060	516-26-060	AMD	94-17-059
490-500-455	AMD-P	94-23-092	504-25-240	AMD-P	94-22-060	516-26-070	AMD-P	94-07-117
490-500-460	NEW-P	94-23-092	504-25-245	AMD-P	94-22-060	516-26-070	AMD	94-17-059
490-500-465	NEW-P	94-23-092	504-25-300	NEW-P	94-17-043	516-26-080	AMD-P	94-07-117
490-500-470	NEW-P	94-23-092	504-25-300	NEW-E	94-17-071	516-26-080	AMD	94-17-059
490-500-475	NEW-P	94-23-092	504-25-300	NEW-E	95-01-039	516-26-085	AMD-P	94-07-117
490-500-477	NEW-P	94-23-092	504-25-305	NEW-P	94-17-043	516-26-085	AMD	94-17-059
490-500-480	NEW-P	94-23-092	504-25-305	NEW-E	94-17-071	516-26-090	AMD-P	94-07-117
490-500-485	NEW-P	94-23-092	504-25-305	NEW-E	95-01-039	516-26-090	AMD	94-17-059
490-500-500	AMD-P	94-23-092	504-25-310	NEW-P	94-17-043	516-26-095	AMD-P	94-07-117
490-500-505	AMD-P	94-23-092	504-25-310	NEW-E	94-17-071	516-26-095	AMD	94-17-059
490-500-510	AMD-P	94-23-092	504-25-310	NEW-E	95-01-039	516-26-100	AMD-P	94-07-117
490-500-520	AMD-P	94-23-092	504-25-315	NEW-P	94-17-043	516-26-100	AMD	94-17-059
490-500-525	AMD-P	94-23-092	504-25-315	NEW-E	94-17-071	516-52-001	AMD-P	94-20-031
490-500-530	AMD-P	94-23-092	504-25-315	NEW-E	95-01-039	516-52-001	AMD	95-01-006
490-500-540	REP-P	94-23-092	504-25-320	NEW-P	94-17-043			
490-500-542	NEW-P	94-23-092	504-25-320	NEW-E	94-17-071			
490-500-545	AMD-P	94-23-092	504-25-320	NEW-E	95-01-039			
490-500-550	REP-P	94-23-092	504-25-325	NEW-P	94-17-043			
490-500-555	NEW-P	94-23-092	504-25-325	NEW-E	94-17-071			
490-500-560	AMD-P	94-23-092	504-25-325	NEW-E	95-01-039			
490-500-570	REP-P	94-23-092	504-25-330	NEW-P	94-17-043			
490-500-580	NEW-P	94-23-092	504-25-330	NEW-E	94-17-071			
490-500-590	AMD-P	94-23-092	504-25-330	NEW-E	95-01-039			
490-500-600	AMD-P	94-23-092	504-25-335	NEW-P	94-17-043			
490-500-605	AMD-P	94-23-092	504-25-335	NEW-E	94-17-071			
490-500-615	AMD-P	94-23-092	504-25-335	NEW-E	95-01-039			
490-500-620	AMD-P	94-23-092	504-25-340	NEW-P	94-17-043			
490-500-622	NEW-P	94-23-092	504-25-340	NEW-E	94-17-071			
490-500-625	AMD-P	94-23-092	504-25-340	NEW-E	95-01-039			
490-500-627	NEW-P	94-23-092	504-25-345	NEW-E	94-17-071			
490-500-630	NEW-P	94-23-092	504-25-345	NEW-E	95-01-039			
490-500-635	NEW-P	94-23-092	504-25-350	NEW-P	94-17-043			
504-18-110	AMD-P	94-22-057	504-25-350	NEW-E	94-17-071			
504-18-120	AMD-P	94-22-057	504-25-350	NEW-E	95-01-039			
504-18-140	AMD-P	94-22-057	504-25-355	NEW-P	94-17-043			
504-18-150	AMD-P	94-22-057	504-25-355	NEW-E	94-17-071			
504-18-170	AMD-P	94-22-057	504-25-355	NEW-E	95-01-039			
504-21-030	AMD-P	94-22-058	504-25-360	NEW-P	94-17-043			
504-21-040	AMD-P	94-22-058	504-25-360	NEW-E	94-17-071			
504-21-050	AMD-P	94-22-058	504-25-360	NEW-E	95-01-039			
504-21-070	AMD-P	94-22-058	504-25-365	NEW-P	94-17-043			
504-21-080	AMD-P	94-22-058	504-25-365	NEW-E	94-17-071			
504-21-090	AMD-P	94-22-058	504-25-365	NEW-E	95-01-039			
504-24	AMD-P	94-22-059	504-25-370	NEW-P	94-17-043			
504-24-015	REP-P	94-22-059	504-25-370	NEW-E	94-17-071			
504-24-030	AMD-P	94-22-059	504-25-370	NEW-E	95-01-039			
504-24-035	NEW-P	94-22-059	504-25-375	NEW-P	94-17-043			
504-24-040	NEW-P	94-22-059	504-25-375	NEW-E	94-17-071			
504-25	PREP	94-13-141	504-25-375	NEW-E	95-01-039			
504-25	PREP	94-13-142	504-28-010	AMD-P	94-22-061			
504-25-005	AMD-P	94-17-043	504-28-020	AMD-P	94-22-061			
504-25-005	AMD-E	94-17-071	504-28-030	AMD-P	94-22-061			
504-25-005	AMD-E	95-01-039	504-28-050	AMD-P	94-22-061			
504-25-010	AMD-P	94-22-060	504-28-060	REP-P	94-22-061			
504-25-015	AMD-P	94-17-043	504-34-140	NEW-P	94-22-062			
504-25-015	AMD-E	94-17-071	516-26-010	AMD-P	94-07-117			
504-25-015	AMD-E	95-01-039	516-26-010	AMD	94-17-059			
504-25-020	AMD-P	94-22-060	516-26-020	AMD-P	94-07-117			
504-25-025	AMD-P	94-22-060	516-26-020	AMD	94-17-059			
504-25-035	AMD-P	94-22-060	516-26-030	AMD-P	94-07-117			



Subject/Agency Index

(Citation in bold type refer to material in this issue)

AGRICULTURE, DEPARTMENT OF			COLUMBIA BASIN COLLEGE		
Agricultural emergency, definition and declaration	PERM	95-01-077	Meetings	MISC	95-01-032
Barley commission meetings	MISC	95-01-023	COMBINED FUND DRIVE, STATE EMPLOYEE (See GOVERNOR, OFFICE OF THE)		
Beef commission meetings	MISC	95-01-022	COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF		
Food processing civil penalties	PREP	95-01-014	Fire protection services division meetings	MISC	95-01-045
Food safety civil penalties	PREP	95-01-014	Public works board meetings	MISC	95-01-033
Hop commission meetings	MISC	95-01-055	CONVENTION AND TRADE CENTER		
Pesticides			Meetings	MISC	95-01-081
agricultural emergencies, definition and declaration	PERM	95-01-077		MISC	95-01-082
phosdrin, use restrictions	PERM	95-01-075	CRIMINAL JUSTICE TRAINING COMMISSION		
vegetable seeds, pesticide application	PERM	95-01-076	Meetings	MISC	95-01-056
Puget Sound gillnet salmon commission creation	PERM	95-01-019	ECOLOGY, DEPARTMENT OF		
Vegetables			Air quality		
seeds, pesticide application	PERM	95-01-019	particulate matter standard		
ATTORNEY GENERAL'S OFFICE			Seattle, Duwamish Valley, and Tacoma tideflats	MISC	95-01-103
Court reporters, transcription services fees (1994, No. 23)	MISC	95-01-086	registration program	PROP	95-01-104
Firearms dealers' licenses (1994, No. 22)	MISC	95-01-085	Director, delegation of authority	PREP	95-01-089
Notice of request for attorney general's opinion	MISC	95-01-122	Ground water management area programs		
BELLEVUE COMMUNITY COLLEGE			Blaine	MISC	95-01-087
Meetings	MISC	95-01-025	Rules coordinator	MISC	95-01-088
BELLINGHAM TECHNICAL COLLEGE			EDMONDS COMMUNITY COLLEGE		
Meetings	MISC	95-01-095	Meetings	MISC	95-01-036
Rules coordinator	MISC	95-01-096	EDUCATION, STATE BOARD OF		
BLIND, DEPARTMENT OF SERVICES FOR THE			School construction		
Vendors			state support level, additional assistance	PROP	95-01-016
agreements with department facilities, bidding and assignment	PERM	95-01-066	EMPLOYMENT SECURITY DEPARTMENT		
	PERM	95-01-066	Benefits		
BUILDING CODE COUNCIL			eligibility	PREP	95-01-115
Energy code			Family independence program		
log and solid timber homes	PERM	95-01-126	employment, training, and education	PROP	95-01-113
Fire code			Temporary total disability		
adoption and amendment of 1994 uniform fire code	PERM	95-01-125	benefit eligibility	PREP	95-01-114
Mechanical code			EXECUTIVE ETHICS BOARD		
adoption and amendment of 1994 uniform mechanical code	PERM	95-01-123	Meetings	MISC	95-01-117
Plumbing code			FINANCIAL INSTITUTIONS, DEPARTMENT OF		
amendment of 1991 uniform plumbing code	PERM	95-01-124	Credit unions		
State building code			department charges and assessments	MISC	95-01-121
adoption and amendment of 1994 uniform building code and standards	PERM	95-01-127	FISH AND WILDLIFE, DEPARTMENT OF		
	PERM	95-01-129	Dogs harassing deer or elk, custody or destruction	EMER	95-01-030
Ventilation and indoor air quality code	PERM	95-01-128	<u>Fishing, commercial</u>		
CENTRAL WASHINGTON UNIVERSITY			crab fishery	EMER	95-01-052
Meetings	MISC	95-01-024	salmon		
CENTRALIA COLLEGE			Klickitat River	EMER	95-01-015
Meetings	MISC	95-01-047	<u>Fishing, personal use</u>		
CLARK COLLEGE			game fish seasons and catch limits, 1994-95		
Meetings	MISC	95-01-083	Cedar River	EMER	95-01-046
Rules coordinator	MISC	95-01-112	Salmon Bay	EMER	95-01-046
CLOVER PARK TECHNICAL COLLEGE			Sammamish River	EMER	95-01-046
Meetings	MISC	95-01-084	shellfish		
			areas and seasons		
			native clams	EMER	95-01-053
			oysters	EMER	95-01-053
			steelhead		
			areas and seasons	EMER	95-01-046
			<u>Hunting seasons</u>		
			Canada goose, 1994-95	EMER	95-01-093

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

FOREST PRACTICES BOARD			MARINE SAFETY, OFFICE OF		
Meetings	MISC	95-01-130	Oil spill prevention plan	PERM	95-01-029
GOVERNOR, OFFICE OF THE			MARITIME COMMISSION		
Combined fund drive, state employee charity participation criteria	PREP	95-01-090	Meetings	MISC	95-01-069
Homelessness, advisory committee on establishment	MISC	95-01-109	NATURAL RESOURCES, DEPARTMENT OF		
			Forest practices board		
			(See FOREST PRACTICES BOARD)		
HEALTH, DEPARTMENT OF			OLYMPIC COLLEGE		
Acupuncture fees	PERM	95-01-038	Meetings	MISC	95-01-005
Medical quality assurance commission disciplinary action	PREP	95-01-062	PENINSULA COLLEGE		
licenses	PREP	95-01-062	Meetings	MISC	95-01-110
Nursing care quality assurance commission advanced registered nurse practitioners education requirements	PERM	95-01-107	PERSONNEL RESOURCES BOARD		
scope of practice	PERM	95-01-107	Classification plan	PROP	95-01-071
Nursing home administrators, board of examinations	PROP	95-01-106	Drug testing, limitations and uses	PROP	95-01-072
licenses	PROP	95-01-106	Federal Fair Labor Standards Act, consistency with	PERM	95-01-074
standards of conduct	PROP	95-01-106	Salaries	PROP	95-01-073
On-site sewage systems multiple site waivers	EMER	95-01-105	reallocation	PROP	95-01-071
Osteopathic medicine and surgery, board of physicians assistants	PROP	95-01-001	PIERCE COLLEGE		
prescriptions	PROP	95-01-001	Meetings	MISC	95-01-031
Radiation protection, division of emergency preparedness	PERM	95-01-108	PROFESSIONAL ENGINEERS AND LAND SURVEYORS, BOARD OF REGISTRATION FOR		
incident notification and reporting	PERM	95-01-108	Meetings	MISC	95-01-004
radiation protection standards	PERM	95-01-108	PUBLIC DISCLOSURE COMMISSION		
HIGHER EDUCATION COORDINATING BOARD			Contributions		
Degree Authorization Act administration and governance	PERM	95-01-003	annual report	PERM	95-01-074A
WICHE professional student exchange program osteopathic medicine	PROP	95-01-067	Lobbyists and lobbying expense reporting	PERM	95-01-074A
			Political advertising	PERM	95-01-074A
HIGHER EDUCATION FACILITIES AUTHORITY			PUBLIC INSTRUCTION, SUPERINTENDENT OF		
Organization and operation	PERM	95-01-007	Funding		
Underwriters, selection	PERM	95-01-007	enrollment counting	PERM	95-01-013
			Teacher assistance program	PROP	95-01-002
HUMAN RIGHTS COMMISSION			PUBLIC WORKS BOARD		
Meetings	MISC	95-01-097	(See COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF)		
	MISC	95-01-098	PUGET SOUND AIR POLLUTION CONTROL AGENCY		
INFORMATION SERVICES, DEPARTMENT OF			Ambient air quality standard contingency plan to meet requirements	PERM	95-01-026
Information services board meetings	MISC	95-01-070	REVENUE, DEPARTMENT OF		
INTEREST RATES			Property tax		
(See inside front cover)			nonprofit homes for the aging	EMER	95-01-078
JUDICIAL CONDUCT, COMMISSION ON				EMER	95-01-079
Adjudicative proceedings	PROP	95-01-099	RULES COORDINATORS		
Meetings	EMER	95-01-100	(See Issue 95-01 for a complete list of rules coordinators designated as of 12/21/94)		
Organization and operation	MISC	95-01-020	Bellingham Technical College	MISC	95-01-096
	MISC	95-01-021	Clark College	MISC	95-01-112
	PROP	95-01-099	Ecology, department of	MISC	95-01-088
	EMER	95-01-100	Tax appeals, board of	MISC	95-01-009
LABOR AND INDUSTRIES, DEPARTMENT OF			SEATTLE COMMUNITY COLLEGES		
Crime victims compensation medical assistance eligibility	EMER	95-01-048	Meetings	MISC	95-01-034
Workers' compensation retrospective rating	PROP	95-01-116	SOCIAL AND HEALTH SERVICES, DEPARTMENT OF		
LICENSING, DEPARTMENT OF			Aid to families with dependent children income policies	PROP	95-01-027
Escrow commission meetings	MISC	95-01-094	Food stamp program	EMER	95-01-028
Motor vehicles trip permits	PROP	95-01-017	definitions	PROP	95-01-012
Real estate commission meetings	MISC	95-01-094	household members, eligibility	PROP	95-01-010

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

students, eligibility	PROP	95-01-011	Telecommunications companies	
General assistance			disconnection of service	PROP 95-01-120
children, eligibility	PREP	95-01-060	mandatory cost changes	PREP 95-01-119
standards of assistance	PREP	95-01-064		
Medical assistance			WASHINGTON STATE LIBRARY	
children, eligibility	PREP	95-01-059	Public information access policy taskforce	
hospital care	PREP	95-01-080	meetings	MISC 95-01-068
income eligibility standards	PROP	95-01-063		
limited casualty program--medically indigent	PROP	95-01-061	WASHINGTON STATE UNIVERSITY	
(LCP-MI), eligibility	PROP	95-01-037	Academic integrity	
			standards	EMER 95-01-039
			violations	EMER 95-01-039
SOUTHWEST AIR POLLUTION CONTROL AUTHORITY			WESTERN WASHINGTON UNIVERSITY	
Sources, general regulations	PROP	95-01-058	Smoking on campus	PERM 95-01-006
Toxic air pollutants, new sources control	PROP	95-01-057		
SPOKANE, COMMUNITY COLLEGES OF				
Assault	PERM	95-01-042		
Computer misuse	PERM	95-01-041		
Plagiarism	PERM	95-01-040		
Stalking	PERM	95-01-044		
Student conduct code	PERM	95-01-040		
	PERM	95-01-041		
	PERM	95-01-042		
	PERM	95-01-043		
	PERM	95-01-044		
Threatening or objectionable behavior	PERM	95-01-043		
TACOMA COMMUNITY COLLEGE				
Meetings	MISC	95-01-035		
TAX APPEALS, BOARD OF				
Hearings	PROP	95-01-101		
	PROP	95-01-102		
Meetings	MISC	95-01-008		
Practice and procedure	PROP	95-01-101		
	PROP	95-01-102		
Rules coordinator	MISC	95-01-009		
TRAFFIC SAFETY COMMISSION				
Meetings	MISC	95-01-065		
TRANSPORTATION COMMISSION				
Meetings	MISC	95-01-091		
	MISC	95-01-092		
TRANSPORTATION IMPROVEMENT BOARD				
City hardship assistance program	PROP	95-01-054		
Organization	PROP	95-01-054		
Project submission	PROP	95-01-054		
Records, public access	PROP	95-01-054		
SEPA guidelines	PROP	95-01-054		
Six-year plans	PROP	95-01-054		
Urban arterial projects	PROP	95-01-054		
UNIVERSITY OF WASHINGTON				
Meetings	MISC	95-01-111		
UTILITIES AND TRANSPORTATION COMMISSION				
Electric utilities				
competitive bidding	PREP	95-01-118		
complaints and disputes	PERM	95-01-051		
discontinuance of service	PERM	95-01-051		
least-cost resource planning	PREP	95-01-118		
meters, accuracy	PERM	95-01-051		
payments	PERM	95-01-051		
records	PERM	95-01-051		
Gas utilities				
complaints and disputes	PERM	95-01-050		
discontinuance of service	PERM	95-01-050		
meters, accuracy	PERM	95-01-050		
payments	PERM	95-01-050		
records	PERM	95-01-050		
Meetings	MISC	95-01-049		





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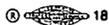
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