



PROPOSED RULE MAKING

CR-102 (March 2008)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

- Preproposal Statement of Inquiry was filed as WSR 07-16-059 and 07-21-146; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: Chapter 480-75 WAC: Hazardous Liquid, Gas, Oil and Petroleum Pipeline companies – Safety. The Washington Utilities and Transportation Commission (UTC) has identified several rules within chapter 480-75 that need to be updated to establish consistency with statutory changes made to RCW Title 80 and 81 resulting from the passage of Substitute Senate Bill 5225 during the 2007 legislative session. This rulemaking will provide amendments to definitions and add new definitions, to reflect changes to state law. In addition, the penalty amount, the annual reporting date and the correct version date for adopting rules by reference have been modified to be consistent with federal rules. The rulemaking has been assigned Docket PL-070974.

Hearing location(s):
 Commission's Hearing Room 206
 Second Floor, Richard Hemstad Building
 1300 S. Evergreen Park Dr. S.W.
 Olympia, WA 98504-7250

Submit written comments to:
 Name: Washington Utilities and Transportation Commission
 Address: P. O. Box 47250, Olympia, WA 98504-7250
 e-mail records@utc.wa.gov Please include
 Docket PL-070974 in your communication.
 fax (360) 586-1150 by (date) April 25, 2008

Date of Hearing: May 15, 2008, at 1:30 p.m.

Assistance for persons with disabilities: Contact
 Mary DeYoung by Tuesday, May 13, 2008

Date of intended adoption: May 15, 2008
 (Note: This is NOT the effective date)

TTY (360) 586-8203 or (360) 664-1133

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
 The proposed amendments are intended to update current rules to reflect changes in RCW Title 80 and 81 resulting from the passage of Substitute Senate Bill 5225 during the 2007 legislative session. The changes provide updated definitions in WAC 480-75-100 for "Hazardous liquid pipeline" "pipeline" and "hazardous liquid pipeline company" The change in definition for "hazardous liquid pipeline company" is applicable to most of the rules in Chapter 480-75 WAC. In addition, WAC 480-75-200 "Application of rules" adds to the title "responsibility for contractors" and a new section (2) defining a company's responsibility for its contractors. WAC 480-75-250 increases the penalty amounts to be consistent with federal law, WAC 480-75-240(3) changes the quarterly fee installment dates, and WAC 480-75-999(1)(a) changes the version date for the adoption of federal rules. In addition, rule language has been modified from the passive to active voice.

Reasons supporting proposal: With the passage of Substitute Senate Bill 5225 Chapter 480-75 WAC must reflect the statutory changes to be consistent with state law. In addition, UTC Staff and stakeholders have discovered areas of the rules that call for minor correction, updates, deletion, and revision. This proposal would address those areas.

Statutory authority for adoption: RCW 80.01.040(4) and RCW 81.88.060.

Statute being implemented: N/A

- Is rule necessary because of a:**
- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: **March 19, 2008**
 TIME: **8:09 AM**

WSR 08-07-080

DATE
March 19, 2008

NAME (type or print)
Carole J. Washburn

SIGNATURE

TITLE
Executive Secretary

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: Washington Utilities and Transportation Commission

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting.....Sondra Walsh, Operations Manager	1300 S. Evergreen Park Drive SW, Olympia, WA 98504	(360) 664-1286
Implementation..Carole J. Washburn, Executive Secretary	1300 S. Evergreen Park Drive SW, Olympia, WA 98504	(360) 664-1174
Enforcement.....Carole J. Washburn, Executive Secretary	1300 S. Evergreen Park Drive SW, Olympia, WA 98504	(360) 664-1174

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

No. Explain why no statement was prepared.

The proposed corrections and changes to rules will not result in or impose an increase in costs. Because there will not be any increase in costs resulting from the proposed rule changes, an SBEIS is not required under RCW 19.85.030(1)

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: The UTC is not an agency to which RCW 34.05.328 applies. The proposed rules are not significant legislative rules of the sort reference in RCW 34.05.328(5).