



PROPOSED RULE MAKING

CR-102 (June 2012)

(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 12-07-087; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

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

Title of rule and other identifying information: (Describe Subject) Chapter 480-75 WAC, "Hazardous Liquid Pipelines – Safety," Docket PL-120350.

Hearing location(s):

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

Date: December 19, 2012 Time: 9:30 a.m.

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-120350 in your communication.

fax (360) 586-1150 by (date) November 26, 2012

Assistance for persons with disabilities:

Contact [Debbie Aguilar](#) by November 26, 2012

TTY (360) [586-8203](#) or (360) [664-1132](#)

Date of intended adoption: December 19, 2012

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The 2011 Legislature amended the underground utilities law, Chapter 19.122 RCW. These changes take effect on January 1, 2013. This new law, assigned to the Washington Utilities and Transportation Commission (Commission), affects the Commission's authority to enforce the underground utilities law as it relates to pipelines. The Commission initiated this rulemaking to require hazardous liquid pipeline companies to report additional information about damage to their facilities caused by excavators that have violated the underground utilities law, and to provide to violators information about their rights under the revised law.

Reasons supporting proposal: Proposed revisions will provide sufficient supplemental reporting and evidentiary records and documentation needed by the commission to sustain an action to enforce violations of Chapter 19.122 RCW.

Statutory authority for adoption: RCW 80.01.040(4), RCW 81.01.010, RCW 81.04.160, RCW 81.88.040, RCW 81.88.065, and Laws of 2007, ch. 142, § 1, § 2, and § 5.

Statute being implemented: Chapter 19.122.RCW

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

DATE
October 24, 2012

NAME (type or print)
David W. Danner

SIGNATURE

TITLE
Executive Director and Secretary

CODE REVISER USE ONLY

**OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED**

DATE: October 24, 2012

TIME: 11:16 AM

WSR 12-21-141

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

Name of proponent: (person or organization) Washington Utilities and Transportation Commission

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting	David D. Lykken	1300 S. Evergreen Pk Drive SW, Olympia, WA 98504	(360) 664-1219
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Enforcement	David W. Danner	1300 S. Evergreen Pk Drive SW, Olympia, WA 98504	(360) 664-1208

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

The proposed rules will not result in or impose more than minor costs. Because there will not be more than minor increase in costs resulting from the proposed rule changes, a 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 Commission is not an agency to which RCW 34.05.328 applies. The proposed rules are not significant legislative rules of the sort referenced in RCW 34.05.328(5).