



RULE-MAKING ORDER

CR-103 (June 2004)
(Implements RCW 34.05.360)

Agency: Department of Labor and Industries

- Permanent Rule
- Emergency Rule

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) 8/1/2004 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: The primary reason for this rule making was to delete the pesticide application record forms currently located in WAC 296-307-14510. The department of agriculture is responsible for maintaining these forms and updates them periodically through the rule making process. We are repealing these forms from our agriculture rule to reduce confusion with our customers. We added a reference in WAC 296-307-14505 that will let users know where to find the forms in the department of agriculture rules, Chapter 16-228 WAC, General pesticide rules. **See attachment).**

Citation of existing rules affected by this order:

Repealed: None
 Amended: WAC 296-307-14505, WAC 296-307-14510
 Suspended: None

Statutory authority for adoption: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060

Other authority : None.

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 04-07-162 on March 23, 2004.
 Describe any changes other than editing from proposed to adopted version: None.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
 Address: _____ fax () _____
 e-mail _____

EMERGENCY RULE ONLY

Under 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.
- 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:

Date adopted: June 22, 2004

NAME (TYPE OR PRINT)
Paul Trause

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

04-13-129

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	<u>2</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	<u>2</u>	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	<u>2</u>	Repealed	_____

WAC 296-307-14505, What records must an employer keep for pesticide applications?

- Subsection (19): Added language that reads, “Pesticide application record forms can be found in Chapter 16-228 WAC, General Pesticide Rules” for clarity.

WAC 296-307-14510, What do the pesticides forms look like?

- Changed the title of this section to “Sample pesticide storage record”.
- Deleted all the forms in this section except for the pesticide storage record form.