



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Department of Labor and Industries

|  |   |
|--|---|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 08-16-112 ; or | <input checked="" type="checkbox"/> Original Notice       |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or           | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4).                                  | <input type="checkbox"/> Continuance of WSR _____         |

**Title of rule and other identifying information:** Chapter 296-400A WAC, Plumber Certification Rules

**Hearing location(s):**  
 Department of Labor and Industries  
 7273 Linderson Way Southwest, Room S117  
 Tumwater, Washington

Date: March 25, 2009 Time: 2:00 pm

**Date of intended adoption:** May 5, 2009  
(Note: This is NOT the effective date)

**Submit written comments to:**  
 Name: Sally Elliott  
 Address: Post Office Box 44400  
 Olympia, Washington 98504-4400  
 e-mail yous235@lni.wa.gov  
 fax (360) 902-5292 by March 25, 2009

**Assistance for persons with disabilities:** Contact  
 Sally Elliott by March 1, 2009  
 at yous235@lni.wa.gov or (360) 902-6411

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The purpose of this rulemaking is to review the plumber certification rules for housekeeping changes in order to further clarify the rules. The plumber certification rules are reviewed on a regular basis to ensure the rules are consistent with the national consensus standards, industry practice, and to clarify the rules.

The changes will include:

- Amending the rule to be consistent with the Plumber law;
- Delete pump installer trainee requirements;
- Clarify the continuing educational units that will be accepted by the department; and
- General housekeeping changes.

**Reasons supporting proposal:** See purpose statement.

**Statutory authority for adoption:** RCW 18.106.040, 18.106.140

**Statute being implemented:** Chapter 18.106 RCW

**Is rule necessary because of a:**

|                         |                              |  |
|-------------------------|------------------------------|--|
| Federal Law?            | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

**DATE**  
February 17, 2009

**NAME** (type or print)  
Judy Schurke

**SIGNATURE**

**TITLE**  
Director

### CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: February 17, 2009  
TIME: 8:48 AM

**WSR 09-05-076**

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

NA

**Name of proponent:** (person or organization) Department of Labor and Industries

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

| Name                             | Office Location      | Phone          |
|----------------------------------|----------------------|----------------|
| Drafting..... Pete Schmidt       | Tumwater, Washington | (360) 902-5571 |
| Implementation.... Patrick Woods | Tumwater, Washington | (360) 902-6348 |
| Enforcement..... Patrick Woods   | Tumwater, Washington | (360) 902-6348 |

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

Yes. Attach copy of small business economic 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.

This rule is specifically exempt from the SBEIS requirement because since the proposed changes will clarify rule language without changing its effect [see RCW 34.05.328(5)(b)(iv)].

**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: This rule is specifically exempt from the CBA requirement because the proposed changes will clarify rule language without changing its effect [see RCW 34.05.310(4)(d)].