AMENDATORY SECTION (Amending WSR 09-10-080, filed 5/5/09, effective 6/5/09)

WAC 296-400A-005 What definitions do I need to know to understand these rules? Unless a different meaning is clearly required by the context, the following terms and definitions are important:

"Advisory board" is the state advisory board of plumbers.

"Audit" means an assessment, evaluation, examination or investigation of, contractor's accounts, books and records for the purpose of verifying the contractor's compliance with RCW 18.106.320.

"Backflow assembly" or **"backflow prevention assembly"** or **"backflow preventer"** is a device as described in the *Uniform Plumbing Code* used to prevent the undesired reversal of flow of water or other substances through a cross-connection into the public water system or consumer's potable water system.

"Backflow assembly tester" is an individual certified by the department of health to perform tests to backflow assemblies.

"Continuing education" is approved plumbing and electrical courses for journeymen, domestic pump specialty plumbers, and residential specialty plumbers, to meet the requirements to maintain their plumbing certification and for trainees or individuals to become certified plumbers in Washington.

"Continuing education course provider" is an entity approved by the department, in consultation with the state advisory board of plumbers, to provide continuing education training for journeymen, domestic pump specialty plumbers, residential specialty plumbers, and trainees. All training course providers must comply with the requirements in WAC 296-400A-028.

"Continuity affidavit" is a form developed by the department that is used to verify whether medical gas pipe installation work (brazing process) has been performed biannually. This form is provided to the department annually by the person holding the medical gas piping installer endorsement and requires the signature of the employer of the medical gas piping installer or another qualified verifier as determined by the department. Continuity is a visual examination by the employer of the brazing that was performed.

"Contractor" means any person, corporate or otherwise, who engages in, or offers or advertises to engage in, any work covered by the provisions of chapter 18.106 RCW by way of trade or business, or any person, corporate or otherwise, who employs anyone, or offers or advertises to employ anyone, to engage in any work covered by the provisions of chapter 18.106 RCW and is registered as a contractor under chapter 18.27 RCW.

"Course of study" means classroom training and practical work

experience in the plumbing industry as defined in WAC 296-400A-100.

"Department" is the department of labor and industries.

"Director" is the director of the department of labor and industries.

"Dispatcher" means the contractor's employee who authorized the work assignment of the person employed in violation of chapter 18.106 RCW.

((~~**"Department"** is the department of labor and industries.~~

~~**"Director"** is the director of the department of labor and industries.~~))

"Journeyman plumber" is anyone who has learned the commercial plumbing trade and has been issued a journeyman certificate of competency by the department. A journeyman plumber may work on plumbing projects including residential, commercial and industrial worksite locations.

"Medical gas piping installer" is anyone who has been issued a medical gas piping installer endorsement of competency by the department.

"Medical gas piping systems" are piping systems that convey or involve oxygen, nitrous oxide, high pressure nitrogen, medical compressed air, or medical vacuum systems.

"Plumbing" is that craft involved in installing, altering, repairing and renovating potable water systems, liquid waste systems and medical gas piping systems in the footprint of a building. Potable water systems, liquid waste systems, and medical gas piping systems are defined by the current *Uniform Plumbing Code* (UPC) and amendments adopted by the state building code council. All piping, fixtures, pumps and plumbing appurtenances that are used for a reclaimed water system are included in the definition of liquid waste systems. The installation of water softening or water treatment equipment into a water system is not considered plumbing.

"Records" include, but are not limited to, all bids, invoices, billing receipts, time cards and payroll records that show the work was performed, advertised, or bid.

"Specialty plumber" is anyone who has been issued a specialty plumbers certificate of competency by the department limited to:

(a) Installation, maintenance and repair of plumbing for single-family dwellings, duplexes and apartment buildings which do not exceed three stories;

(b) Maintenance and repair of backflow assemblies located within a residential or commercial building or structure. For the purposes of this subsection, "maintenance and repair" includes cleaning and replacing internal parts of an assembly, but does not include installing or replacing backflow assemblies.

(c) "Domestic pump specialty" means the installation, maintenance, and repair of a domestic water pumping system consisting of the pressurization, treatment, and filtration components of a domestic water system consisting of: One or more pumps; pressure, storage, and other tanks; filtration and treatment equipment; if appropriate, a pitless adapter; along with valves, transducers, and other plumbing components that:

(i) Are used to acquire, treat, store, or move water suitable

for either drinking or other domestic purposes, including irrigation, to:

(A) A single-family dwelling, duplex, or other similar place of residence;

(B) A public water system, as defined in RCW 70.119.020 and as limited under RCW 70.119.040; or

(C) A farm owned and operated by a person whose primary residence is located within thirty miles of any part of the farm;

(ii) Are located within the interior space, including but not limited to an attic, basement, crawl space, or garage, of a residential structure, which space is separated from the living area of the residence by a lockable entrance and fixed walls, ceiling, or floor;

(iii) If located within the interior space of a residential structure, are connected to a plumbing distribution system supplied and installed into the interior space by either:

(A) A person who, pursuant to RCW 18.106.070 or 18.106.090, possesses a valid temporary permit or certificate of competency as a journeyman plumber, specialty plumber, or trainee, as defined in this chapter; or

(B) A person exempt from the requirement to obtain a certified plumber to do such plumbing work under RCW 18.106.150.

For the purposes of the domestic pump specialty, residential structure includes any improvement to real property where that property is primarily used as a residence.

"Story" is defined by the current building codes and amendments adopted by the state building code council which includes basements or garages.

"Supervision" for the purpose of these rules means within sight or sound. Supervision requirements are met when the supervising plumber is on the premises and within sight or sound of the individual who is being trained.

"Trainee plumber" is anyone who has been issued a trainee certificate and is learning or being trained in the plumbing trade with direct supervision of either a journeyman plumber or specialty plumber working in their specialty.

"Training course provider" is an entity approved by the department, in consultation with the state advisory board of plumbers, to provide medical gas piping installer training. All training course providers must comply with the requirements in WAC 296-400A-026.

((~~**"Trainee plumber"** is anyone who has been issued a trainee certificate and is learning or being trained in the plumbing trade with direct supervision of either a journeyman plumber or specialty plumber working in their specialty.~~))

AMENDATORY SECTION (Amending WSR 05-11-061, filed 5/17/05, effective 6/30/05)

WAC 296-400A-022 What procedure is required for renewal of a journeyman medical gas endorsement? (1) Maintain an active Washington state journeyman certification((~~,~~)).

(2) Submit affidavit of continuity((~~,~~)).

(3) Submit affidavit of review of current medical gas code adopted by the Washington state building code council((~~,~~)).

(4) Pay the appropriate fee: If renewal occurs before expiration of current endorsement, the renewal fee shown in WAC 296-400A-045; if renewal occurs within ninety days of expiration of current endorsement, you must pay a double renewal fee; if the current endorsement has been expired for ninety-one days or more, you must take an examination relating to medical gas installation administered by the department and pay the examination application fee shown in WAC 296-400A-045((~~; and~~)). Medical gas endorsement is renewed every two years.

(5) Contractors shall accurately verify and attest to brazing performed by the journeyman by sending an affidavit to the department or in lieu of the biannual braze requirement from the contractor, a performed brazed coupon test documenting that the coupon was certified as passing from a department approved medical gas training course provider would be accepted.

AMENDATORY SECTION (Amending WSR 09-10-080, filed 5/5/09, effective 6/5/09)

WAC 296-400A-045 What fees will I have to pay? The following are the department's plumbers nonrefundable fees:

((~~(1)~~)) Fees related to journeyman and specialty plumber certification:

Type of Fee	Period Covered by Fee	Dollar Amount of Fee
Examination application	Per examination	$((~~133.00~~)) 139.90
Domestic pump specialty application fee*******	Per application	$((~~133.00~~)) 139.90
Reciprocity application*	Per application	$((~~133.00~~)) 139.90
Trainee certificate**	One year or when hours are updated	$((~~39.70~~)) 41.70
Temporary permit (not applicable for backflow assembly maintenance and repair specialty)	((~~90~~)) 120 days	$((~~66.10~~)) 69.50
Journeyman or residential specialty certificate renewal or 1st card***	Two years ((~~(fee may be prorated based on months)~~))	$((~~106.50~~)) 112.00
Domestic pump specialty plumber certificate renewal or 1st card***	Three years ((~~(fee may be prorated based on months)~~))	$((~~159.80~~)) 168.10

Type of Fee	Period Covered by Fee	Dollar Amount of Fee
Backflow assembly maintenance and repair specialty certificate renewal or 1st card***	Two years (((~~fee may be prorated based on months~~)))	$((~~73.50~~)) 77.30
Medical gas endorsement application	Per application	$((~~49.00~~)) 51.50
Medical gas endorsement renewal or 1st card***	((~~One~~)) Two years	$((~~36.60~~)) 77.00
Medical gas endorsement examination fee****		See note below.
Medical gas endorsement training course fee*****		See note below.
Domestic pump specialty examination fee****		See note below.
Reinstatement fee for residential and journeyman certificates		$((~~213.50~~)) 224.60
Reinstatement fee for backflow assembly maintenance and repair specialty certificates		$((~~122.90~~)) 129.20
Reinstatement fee for domestic pump		$((~~319.70~~)) 336.30
Replacement fee for all certificates		$((~~18.00~~)) 18.90
Refund processing fee		$((~~28.70~~)) 30.10
Unsupervised trainee endorsement		$((~~28.70~~)) 30.10
Inactive status fee		$((~~28.70~~)) 30.10
Honorary plumbing certification		$((~~106.50~~)) 120.00
Certified letter fee/verification of licensure		$((~~28.70~~)) 30.10
Documents copied from a plumber's file		$2.00 per page maximum copy charge $30.00
Continuing education new course fee******		$((~~173.00~~)) 181.90
Continuing education renewal course fee******		$((~~86.40~~)) 90.80
Continuing education classes provided by the department		$12 per continuing education training hour $8 per continuing education training hour for correspondence and internet courses

* Reciprocity application is only allowed for applicants that are applying work experience toward certification that was obtained in state(s) with which the department has a reciprocity agreement. The reciprocity application is valid for one year.

** The trainee certificate shall expire one year from the date of issuance and must be renewed on or before the date of expiration. ((~~Updating a training certificate is optional and not required.~~)) Trainee update fee required when hours are submitted outside of renewal period.

*** This fee applies to either the original issuance or a renewal of a certificate. If you have passed the plumbers certificate of competency examination or the medical gas piping installer endorsement examination and paid the certificate fee, you will be issued a plumber certificate of competency or a medical gas endorsement that will expire on your birth date.
The ((~~annual~~)) two-year renewal of a Medical Gas Piping Installer Endorsement shall include a continuity affidavit verifying that brazing work has been performed ((~~biannually~~)) every six months during the renewal cycle.

**** This fee is paid directly to a nationally recognized testing agency under contract with the department. It covers the cost of preparing and administering the written competency examination and the materials necessary to conduct the practical competency examination required for the medical gas piping system installers endorsement or the domestic pump or pump and irrigation examination. **This fee is not paid to the department.**

***** This fee is paid directly to a training course provider approved by the department, in consultation with the state advisory board of

plumbers. It covers the cost of providing training courses required for the medical gas piping system installer endorsement. **This fee is not paid to the department.**

****** This fee is for a three-year period or code cycle.

******* The domestic pump specialty application is valid for one year.

((~~(2) If your birth year is:~~

~~(a) In an even-numbered year, your certificate will expire on your birth date in the next even-numbered year.~~

~~(b) In an odd-numbered year, your certificate will expire on your birth date in the next odd-numbered year.~~))

AMENDATORY SECTION (Amending WSR 02-14-074, filed 6/28/02, effective 7/1/02)

WAC 296-400A-100 For certification purposes, how are "years of employment" computed and documented? (1) For certification purposes, 2,000 hours of employment is considered one year. See RCW 18.106.070(2).

(2) When you renew your certificate, you must document your previous years' plumbing work by accurately completing the department's approved form and submitting it to the department.

(3) If you have completed a one, two, three, four or more years plumbing construction trainee program, you must have the necessary training hours for the year in which you are registered. No more than fifty percent of the minimum work experience needed to qualify for plumbing certification is allowed for any training school program. See RCW 18.106.040.

(4) Subsections (1) through (3) of this section do not apply to the backflow assembly maintenance and repair specialty certification as years of employment are not required for this specialty. Applicants for this specialty designation are required to have fulfilled the requirements in WAC 296-400A-122 and pay the applicable fees in WAC 296-400A-045(2).

(5) Experience obtained as a backflow assembly maintenance and repair specialty may not be applied toward journeyman or specialty plumber certification.

(6) For experience in another country, if an individual has a journeyman plumbing certificate from a country outside the United States that requires that at least four years of plumbing construction training and certification is obtained by examination, the individual may be eligible for four thousand hours of the specialty credit allowed towards the qualification to take the Washington journeyman plumbers examination. No more than two years of the required training to become a Washington journeyman plumber may be for work described for specialty plumbers or technicians in WAC 296-400A-010. In addition to the maximum of four thousand hours credit that may be allowed by this subsection, an additional four thousand hours of new commercial/industrial experience must be obtained using a training certificate in the state while under the supervision of a journeyman plumber. Documentation substantiating

the individual's out-of-country experience must be submitted in English.

(7) Out of country experience credit is not allowed toward a specialty plumbing certificate.

AMENDATORY SECTION (Amending WSR 09-10-080, filed 5/5/09, effective 6/5/09)

WAC 296-400A-120 What do I need to know about plumber trainee certificates (excluding backflow assembly maintenance and repair specialty certification)? (1) **Journeyman and specialty plumber trainee certification:**

(a) Original trainee certificates. The department will issue an original trainee certificate when the trainee applicant submits a complete trainee certificate application including:

(i) Date of birth, mailing address, Social Security number; and

(ii) All appropriate fees as listed in WAC 296-400A-045.

(iii) If an individual has previously held a plumbing trainee certificate, then that individual is not eligible for a subsequent original trainee certificate.

All applicants for a plumbing trainee certificate must be at least sixteen years of age and must follow requirements as defined in WAC 296-125-030.

(b) Renewal. The department issues separate trainee certificates once a year.

(c) The plumbing trainee may not apply for renewal more than ninety days prior to the expiration date. Plumber trainee certificates are valid for one year.

(d) All applicants for trainee certificate of renewal must:

(i) Submit a complete renewal application;

(ii) Pay all appropriate fees; and

(iii) Provide accurate evidence on the renewal form that the individual has completed the continuing education requirements described in chapter 296-400A WAC.

(e) If an individual files inaccurate or false evidence of continuing education information when renewing a plumbing trainee certificate, the individual's certificate may be suspended or revoked.

(f) An individual who has not completed the required hours of continuing education cannot renew a trainee certificate.

(g) Individuals will not be able to apply to test for journeyman plumber, domestic pump specialty plumber, or residential specialty plumber certificates until the continuing education requirements have been met.

(h) If continuing education hours have not been met, trainee certificates will become expired and any experience obtained by the trainee in expired status will not be credited toward plumbing

certificate application.

(i) An individual may renew an expired certificate of competency by submitting a complete renewal application including obtaining and submitting the continuing education required for renewal. However, the certificate will remain in an expired status for the duration of the expired period.

(j) An individual may not renew a revoked trainee certificate.

(k) Apprentices registered in an approved program according to chapter 49.04 RCW who are obtaining classroom training consistent with the continuing education requirements under chapter 18.106 RCW and this chapter, as approved by the department, are deemed to have met the continuing education requirements necessary to renew a trainee certificate. Included under this exemption are active trainees that are not in the formal approved program according to chapter 49.04 RCW but are taking all required classroom training along with the apprentices and meeting the work experience as required under chapter 18.106 RCW and this chapter. The plumber craft training school shall be required to supply the department the necessary documentation to prove attendance of these trainees while they attend the classroom training.

(l) If you are a trainee applying for a journeyman certificate, you must complete a minimum of two of the required four years in commercial plumbing experience.

(m) A certified residential specialty plumber or domestic pump specialty plumber working on a commercial job site may work as a journeyman trainee only if they have a current trainee certificate on their person while performing commercial plumbing work.

(n) On a job site, the ratio of certified plumbers to noncertified plumbers must be:

(i) One residential specialty plumber or journeyman working on a residential plumbing job site may supervise no more than two trainees.

(ii) One journeyman plumber working on a commercial job site may supervise no more than one trainee or one residential specialty plumber who holds a current trainee certificate.

(iii) One appropriate domestic pump specialty plumber or one journeyman plumber working on a domestic pump system may supervise no more than two trainees.

(o) A plumber trainee who has a current trainee certificate with the state of Washington and has successfully completed or is enrolled in an approved medical gas piping installer training course may work on medical gas piping systems. Work may only occur when there is direct supervision by an active Washington state certified journeyman plumber with an active medical gas piping installer endorsement issued by the department. Supervision must be one hundred percent of the working day on a one-to-one ratio.

(p) Plumber trainee shall renew the certificate annually but not more than ninety days before the expiration date.

(q) The trainee will not be issued a renewed or reinstated training certificate if the individual owes the department money as a result of an outstanding final judgment.

(r) Trainee hours will not be credited if the trainee owes

outstanding penalties for violations of this chapter.

(2) At the time of renewal, the holder shall provide the department with an accurate list of the holder's employers in the plumbing construction industry for the previous annual period. The individual must submit a completed, signed, and notarized affidavit(s) of experience. The affidavit of experience must accurately attest to:

(a) The plumbing installation work performed for each employer the individual worked for in the plumbing trade during the previous period;

(b) The correct plumbing category the individual worked in; and

(c) The actual number of hours worked in each category, worked under the proper supervision of a Washington certified journeyman plumber, certified domestic pump specialty plumber, or residential specialty plumber.

(3) The trainee should ask each employer and/or apprenticeship-training director for an accurately completed, signed, and notarized affidavit of experience for the previous certification period. The employer(s) or apprenticeship training director(s) must provide the previous period's affidavit of experience to the individual within twenty days of the request.

(4) If hours for previous period are not submitted within the thirty days after renewing a plumbing training certificate, the individual may not receive credit for these previous period hours.

AMENDATORY SECTION (Amending WSR 04-12-046, filed 5/28/04, effective 6/30/04)

WAC 296-400A-140 How does the department enforce plumbers certification requirements? The department enforces plumber certification requirements by means of job-site inspections conducted by an authorized representative of the department. The representative must determine whether:

(1) Each person doing plumbing ((~~work~~)) has ((~~a proper certificate on their person~~)) their department issued certification card and governmental issued photo identification in their possession on the job site; and

(2) The ratio of certified specialty and/or journeyman plumbers to certified trainees is correct; and

(3) Each certified trainee is directly supervised by either a certified specialty plumber or a certified journeyman; and

(4) Persons who are installing medical gas piping systems have active medical gas piping installer endorsements in addition to their active plumber certification((~~.~~)); and

(5) Persons who are certified as backflow assembly maintenance and repair specialties ((~~must~~)) have an active backflow assembly tester certification from the department of health.

AMENDATORY SECTION (Amending WSR 09-10-080, filed 5/5/09, effective 6/5/09)

WAC 296-400A-300 What procedures does the department follow when issuing a notice of infraction? (1) If an authorized representative of the department determines that an individual has violated plumber certification requirements, including medical gas piping installer endorsement requirements, the department must issue a notice of infraction describing the reasons for the infraction.

(2) For plumber certification violations, the department may issue a notice of infraction to:

(a) An individual who is plumbing without a current plumber certificate; and

(b) The employer of the individual who is plumbing without a current plumber certificate; and

(c) The employer's authorizing agent or foreman that made the work assignment to the individual who is plumbing without a current plumber certificate; and

(d) An individual for not having their department issued certification card and governmental issued photo identification in their possession on the job site.

(3) For medical gas piping installer endorsement violations, the department may issue a notice of infraction to:

(a) An individual who is installing medical gas piping systems without a current plumber certificate and a current medical gas piping installer endorsement; and

(b) The employer of the individual who is installing medical gas piping systems without a current plumber certificate and a current medical gas piping installer endorsement; and

(c) The employer's authorizing agent or foreman that made the work assignment to the individual who is installing medical gas piping systems without a current plumber certificate and a current medical gas piping installer endorsement; and

(d) An individual for not having their department issued certification card and governmental issued photo identification in their possession on the job site.

(4) The department may issue an infraction to a contractor advertising or performing work under this chapter or chapter 18.27 RCW who is not properly registered under chapter 18.27 RCW.

(5) An individual may appeal a notice of infraction by complying with the appropriate provisions of RCW 18.106.220.

(6) If good cause is shown, an administrative law judge may waive, reduce or suspend any monetary penalties resulting from the infraction.

(7) Any monetary penalties collected under this chapter, must be deposited in the plumbing certificate fund.

AMENDATORY SECTION (Amending WSR 04-12-046, filed 5/28/04, effective 6/30/04)

WAC 296-400A-400 What are the monetary penalties for violating certification requirements? (1) A person cited for an infraction under ((~~RCW 18.106.020 or 18.106.320~~)) chapter 18.106 RCW or this chapter shall be assessed a monetary penalty based upon the following schedule:

(a) Individual

First Infraction	$250.00
Second Infraction	$500.00
Third Infraction	$750.00
Fourth and each additional infraction	Not more than $1,000.00

(b) Contractor or dispatcher

First Infraction	$250.00
Second Infraction	$500.00
Third and each additional infraction	Not more than $1,000.00

(2) Each day a person is in violation is considered a separate infraction.

(3) Each job site at which a person is in violation is considered a separate infraction.