



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Department of Labor and Industries

- Preproposal Statement of Inquiry was filed as WSR 16-11-085 ; 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:** WAC 296-104-700 "What are the inspection fees – Examination fees – Certificate fees – Expenses?"

**Hearing location(s):** Department of Labor and Industries  
950 Broadway, Suite 200  
Tacoma, Washington 98402-4453

For directions to the L&I Office:  
<http://www.lni.wa.gov/Main/ContactInfo/OfficeLocations/tacomacom.asp>

Date: August 24, 2016 Time: 10:00am

**Date of intended adoption:** August 25, 2016  
(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 [sally.elliott@lni.wa.gov](mailto:sally.elliott@lni.wa.gov)  
fax (360) 902-4202 by August 24, 2016

**Assistance for persons with disabilities:** Contact Sally Elliott by August 10, 2016 at 360-902-6411 or [sally.elliott@lni.wa.gov](mailto:sally.elliott@lni.wa.gov)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The Board of Boiler Rules is amending WAC 296-104-700, "What are the inspection fees – Examination fees – Certificate fees – Expenses?" to increase fees by the fiscal-growth factor of 4.32% for fiscal year 2017 (OFM's maximum allowable fiscal growth rate). The Boiler Program's budget and projected revenue indicate a fee increase is necessary to cover the program's operating expenses.

**Reasons supporting proposal:** The rulemaking is needed to ensure the Boiler Program's revenues match expenditures; otherwise, service levels may need to be reduced. The last fiscal-growth increase took effect on June 30, 2012.

**Statutory authority for adoption:** Chapter 70.79 RCW, Boilers and Unfired Pressure Vessels

**Statute being implemented:** Chapter 70.79 RCW, Boilers and Unfired Pressure Vessels

**Is rule necessary because of a:**

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

**DATE**  
July 5, 2016

**NAME** (type or print)  
Terry Chapin

**SIGNATURE**

**TITLE**  
Chair, Board of Boiler Rules

### CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: July 05, 2016**

**TIME: 12:49 PM**

**WSR 16-14-097**

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

None.

**Name of proponent:** Department of Labor and Industries

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... José Rodriguez	Tumwater, Washington	(360) 902-6348
Implementation.... José Rodriguez	Tumwater, Washington	(360) 902-6348
Enforcement..... José Rodriguez	Tumwater, Washington	(360) 902-6348

**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 change to the section WAC 296-104-700 generates probable benefits that exceed probable costs; moreover, the probable imposed costs are believed to be no more than minor cost to businesses. As such, the department is exempt from conducting a Small Business Economic Impact Statement for this rulemaking.

**Is a cost-benefit analysis required under RCW 34.05.328?**

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

Name: Sally Elliott  
Address: Post Office Box 44400  
Olympia, Washington 98504-4400  
phone (360) 902-6411  
fax (360) 902-4202  
e-mail sally.elliott@lni.wa.gov

- No: Please explain: