



EXPEDITED RULE MAKING

CR-105 (December 2017) (Implements RCW 34.05.353)

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STATE OF WASHINGTON
FILED

DATE: August 03, 2021

TIME: 12:45 PM

WSR 21-16-098

Agency: Department of Labor & Industries

Title of rule and other identifying information: (describe subject) Typographical corrections to the boiler fees under WAC 296-104-700.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of this rulemaking is to propose corrections to the boiler fees. On June 1, 2021, the Board of Boiler Rules and L&I adopted a fee increase of 5.79 percent to support operating expenses for the Boiler Program (WSR 21-12-088). This is the Office of Financial Management's maximum allowable fiscal growth factor rate for fiscal year 2022. Because of a typographical error, four of the inspection fees pertaining to power boilers and pressure vessels are incorrect. This rulemaking corrects the error by reducing the four fees to the fiscal growth factor amount.

Reasons supporting proposal: The boiler fees are for permits, inspection, examination, and certificates. This rulemaking is needed to ensure the fees are accurate and consistent with the fiscal growth factor.

Statutory authority for adoption: Chapter 70.79 RCW

Statute being implemented: Chapter 70.79 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:

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

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Mike Carlson, Prog. Mgr.	Tumwater, Washington	360-902-5270
Implementation:	Steve Reinmuth, Asst. Dir.	Tumwater, Washington	360-902-6348
Enforcement:	Steve Reinmuth, Asst. Dir.	Tumwater, Washington	360-902-6348

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

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.


Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4): The expedited rule-making process makes typographical corrections to some boiler fees.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

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AND RECEIVED BY (date) October 4, 2021

Date: August 3, 2021	Signature: 
Name: Joel Sacks	
Title: Director	