



EXPEDITED RULE MAKING

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 30, 2021

TIME: 4:08 PM

WSR 21-20-089

Agency: Pollution Liability Insurance Agency

Title of rule and other identifying information: (describe subject)

Amending:

- WAC 374-20-020(1), (2) Definitions.
- 374-20-030 (1), (3), (4) Description of organization.
- 374-30-010 Authority and purpose.
- 374-30-020(2), (5), (7) Definitions.
- 374-30-040 Loss reserves-Use and disposition.
- 374-40-020 Agency defined.
- 374-70-010(2) Purpose and authority.
- 374-70-020(3), (6)(b)(i), (13), (19), (20) Definitions.
- 374-70-030(1), (2) Responsibility.
- 374-70-060(3)(h), (4)(e) Coverage.
- 374-70-080(2) Claims.
- 374-70-090(2) Third-party claims.
- 374-80-010 Authority and purpose.
- 374-80-020(9), (11), (15), (17) Definitions.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The proposed rule changes are strictly technical and not substantive and do not alter the text of the rule. Changes reflect updated citations to re-codified statutes.

Reasons supporting proposal: SHB 2246 reorganized Washington State's environmental health laws which resulted in recodification of the agency's statutes. This became effective on July 1, 2020, and agencies are encouraged to reflect new statutory references by July 1, 2025.

Statutory authority for adoption: RCW 70A.01.010 and RCW 70A.01.020

Statute being implemented: RCW 70A.01.020

Is rule necessary because of a:

Federal Law?

Yes No

Federal Court Decision?

Yes No

State Court Decision?

Yes No

If yes, CITATION:

Name of proponent: (person or organization) Washington State Legislature	<input type="checkbox"/> Private <input type="checkbox"/> Public <input checked="" type="checkbox"/> Governmental
---	---

Name of agency personnel responsible for:			
	Name	Office Location	Phone
Drafting:	Phi Ly i	PO Box 40930, Olympia, WA 98504-0930	(360) 407 - 0517
Implementation: Agency	Pollution Liability Insurance	PO Box 40930, Olympia, WA 98504-0930	(360) 407 - 0520
Enforcement: Agency	Pollution Liability Insurance	PO Box 40930, Olympia, WA 98504-0930	360) 407 - 0520

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

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): RCW 34.05.353(1)(b).

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

Name: Phi Ly
 Agency: Pollution Liability Insurance Agency
 Address: PO Box 40930, Olympia, WA 98504-0930
 Phone: (360) 407-0517
 Fax: (360) 407-0509
 Email: phi.ly@plia.wa.gov
 Other:

AND RECEIVED BY (date) December 6, 2021.

Date: September 30, 2021

Signature:

Name: Phi Ly



Title: Legislative and Policy Manager