

Title 199 WAC

ENVIRONMENTAL HEARINGS OFFICE (ENVIRONMENTAL AND LAND USE HEARINGS BOARD)

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 199-08 PRACTICE AND PROCEDURE—BEFORE THE ENVIRONMENTAL AND LAND USE HEARINGS BOARD

<p>199-08-300 Purpose of this chapter and applicability of the board's rules of practice to the civil rules of procedure and the rules of evidence. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-300, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>199-08-305 Definitions. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-305, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>199-08-310 Computation of time. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-310, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>199-08-315 Board membership, function and jurisdiction. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-315, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>199-08-320 Office hours, telephone number, telefacsimile number and address of the board. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-320, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>199-08-325 Public information about practice before the board and public records. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-325, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>199-08-330 Types of petitions before the board. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-330, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>199-08-335 Where to file a petition for review and number of copies. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-335, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>199-08-340 Contents of the petition for review. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-340, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>199-08-345 Correction or amendment of notice. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-345, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10.</p>	<p>199-08-350</p> <p>199-08-355</p> <p>199-08-360</p> <p>199-08-365</p> <p>199-08-370</p> <p>199-08-375</p> <p>199-08-380</p> <p>199-08-385</p> <p>199-08-390</p> <p>199-08-395</p> <p>199-08-400</p>	<p>Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>Persons who may appear before the board. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-350, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>Appearance by representative. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-355, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>Withdrawal or substitution of representatives. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-360, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>Conduct before the board by representatives. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-365, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>Parties not represented by legal counsel—Waiver of rules to prevent manifest injustice. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-370, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>Presiding officer duties and powers. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-375, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>Mediation. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-380, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>Subpoenas. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-385, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>Dismissal of petitions for review on jurisdictional grounds. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-390, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>Answers to petitions for review. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-395, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.</p> <p>Certification of permit applications. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-400, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10.</p>
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	Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.		90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.
199-08-425	Intervention. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-425, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.	199-08-490	Hearing briefs. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-490, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.
199-08-430	Joinder of parties. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-430, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.	199-08-495	Procedures for hearings on the merits. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-495, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.
199-08-435	Request for initial hearing, jurisdictional motions. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-435, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.	199-08-500	Scope and standard of review. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-500, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.
199-08-440	Scheduling of initial hearing and motions. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-440, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.	199-08-505	Provision of interpreters and of reasonable accommodations to individuals with special needs. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-505, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.
199-08-445	Initial hearing. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-445, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.	199-08-510	Rules of evidence—Admissibility criteria. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-510, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.
199-08-450	Case conferences. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-450, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.	199-08-515	Rules of evidence—Official notice—Matters of law. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-515, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.
199-08-455	Stays. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-455, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.	199-08-520	Rules of evidence—Official notice—Material facts. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-520, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.
199-08-460	Discovery. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-460, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.	199-08-525	Rules of evidence—Tentative admission—Exclusion—Discontinuance—Objections. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-525, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.
199-08-465	Motions. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-465, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.	199-08-540	Contents of the record. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-540, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.
199-08-470	Settlement and mediation agreements. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-470, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.	199-08-545	Preparation of transcripts. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-545, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.
199-08-475	Use of telephone conferences, motion hearings and hearings. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-475, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.	199-08-550	Preparation of findings, conclusions and orders. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-550, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.
199-08-480	Postponements and continuances of hearings. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-480, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.	199-08-555	Final decisions and orders. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-555, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.
199-08-485	Dismissal, default or withdrawal of appeal. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045, § 199-08-485, filed 3/11/05, effective 3/11/05.] Repealed by 10-18-021, filed 8/23/10, effective 9/23/10. Statutory Authority: RCW 43.21B.170,	199-08-565	Petitions for reconsideration. [Statutory Authority: Chapter 43.21L RCW and RCW 34.05.360. 05-07-045,

§ 199-08-565, filed 3/11/05, effective 3/11/05.]
Repealed by 10-18-021, filed 8/23/10, effective 9/23/10.
Statutory Authority: RCW 43.21B.170, 90.58.175,
2010 c 84, 2010 c 130, 2010 c 210, and 2010 c 285.

199-08-570

Time for filing petitions for review to superior court and
court of appeals. [Statutory Authority: Chapter 43.21L
RCW and RCW 34.05.360. 05-07-045, § 199-08-570,
filed 3/11/05, effective 3/11/05.] Repealed by 10-18-
021, filed 8/23/10, effective 9/23/10. Statutory Author-
ity: RCW 43.21B.170, 90.58.175, 2010 c 84, 2010 c
130, 2010 c 210, and 2010 c 285.

199-08-580

Certification of record. [Statutory Authority: Chapter
43.21L RCW and RCW 34.05.360. 05-07-045, § 199-
08-580, filed 3/11/05, effective 3/11/05.] Repealed by
10-18-021, filed 8/23/10, effective 9/23/10. Statutory
Authority: RCW 43.21B.170, 90.58.175, 2010 c 84,
2010 c 130, 2010 c 210, and 2010 c 285.

