

WAC 390-37-010 Enforcement procedures—General. This chapter provides the procedures for the PDC's enforcement of compliance with chapter 42.17A RCW, including categorization of enforcement matters, complaint processes, alternative resolutions, investigations, and adjudicative proceedings (enforcement hearings) in compliance cases under the commission's jurisdiction. The procedures are also governed by RCW 42.17A.755, and the adjudicative proceedings provisions of chapter 34.05 RCW. Unless they differ or are otherwise specifically addressed in this chapter, the procedures, are supplemented by the model rules of procedure in chapter 10-08 WAC. In lieu of holding an adjudicative proceeding or issuing an order as a result of such a proceeding, the commission may refer the matter to the attorney general or other law enforcement agency at any time, pursuant to RCW 42.17A.105 and 42.17A.755.

In addition, the procedures for a person required to file a report under this chapter to request a hearing on a petition to modify or suspend reporting requirements are provided in RCW 42.17A.120 and chapters 390-24 and 390-28 WAC.

The policy of the PDC is to facilitate the resolution of compliance matters in a fair and expeditious manner. The PDC encourages the parties to consider corrections, alternative resolution, partial resolution, statements of understanding, settlement and stipulation procedures as set forth in WAC 390-37-040, 390-37-060, 390-37-062, 390-37-075, 390-37-090, or 390-37-142 whenever appropriate. Informal settlements are encouraged by RCW 34.05.060.

[Statutory Authority: RCW 42.17A.110(1) and 2018 c 304. WSR 18-24-074, § 390-37-010, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW 42.17A.110(1). WSR 16-01-015, § 390-37-010, filed 12/4/15, effective 1/4/16. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-37-010, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370. WSR 03-22-065, § 390-37-010, filed 11/4/03, effective 12/5/03; Order 79, § 390-37-010, filed 6/25/76.]