



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

November 17, 2025

Christina Beusch
Office of the Attorney General
agorulemaking@atg.wa.gov

Re: Public Records Officer Comment on CR-101 and CR-102

Dear Attorneys General:

The Department of Ecology Public Records Officer respectfully submits the following comment on the proposed changes (CR-101 and CR-102) to Washington Administrative Code (WAC) 44-14, *Public Records Act — Model Rules*.

We are largely in support of the proposed Model Rules CR 102. Due to Ecologies' unique complex business structure there are some items that Ecology will find difficult to implement.

WAC 44-14-040(1): Early evaluation of request for placement on simple and complex tracks within the five-day timeline would place an undue burden on staff due to the widespread nature of our records and number of people processing a single request.

WAC 44-14-040(3): Ecology requests rarely involve a single program within the agency. Evaluating every request according to the nature of the request, volume, and availability of requested records before providing the initial response would take a multi program effort. This places an undue burden on the staff processing requests due to the widespread nature of our records and number of people processing a single request. We would like to propose changing "will evaluate" with **should evaluate**.

WAC 44-14-040(3): When possible, Ecology endeavors to triage request by urgency, however this is not usually possible with requests that span more than one program.

WAC 44-14-040(6): Like many agencies Ecology administers many contracts and MOUs that require third-party notice. We would propose the addition of language like "Before sending a notice, an agency should have a reasonable belief that the records are arguably exempt from disclosure," **unless otherwise required by law or agreement**.



If you have any questions, please contact Kat Husted, Agency Public Records Officer, at recordsofficer@ecy.wa.gov.

Sincerely,

Kat Husted
Public Records Officer
Information Governance

Jaime Ganzel
Agency Records Officer
Information Governance

Cc:
Bill Falling
Jim Pendowski

