

shall develop written operating procedures specifying the methods of control which will be utilized.

(8) Criterion 8 – These criteria relating to ownership of tailings and their disposal sites become effective on November 8, 1981, and apply to all licenses terminated, issued, or renewed after that date.

Any uranium or thorium milling license or tailings license shall contain such terms and conditions as the United States NRC determines necessary to assure that prior to termination of the license, the licensee will comply with ownership requirements of this criterion for sites used for tailings disposal.

Title to the byproduct material licensed pursuant to WAC 402-22-150 and land, including any interests therein (other than land owned by the United States or by a state) which is used for the disposal of any such byproduct material, or is essential to ensure the long term stability of such disposal site, shall be transferred to the United States or the state. In view of the fact that physical isolation must be the primary means of long term control, and government land ownership is a desirable supplementary measure, ownership of certain severable subsurface interests (for example, mineral rights) may be determined to be unnecessary to protect the public health and safety and the environment. In any case, however, the applicant/operator must demonstrate a serious effort to obtain such subsurface rights, and must, in the event that certain rights cannot be obtained, provide notification in local public land records of the fact that the land is being used for the disposal of radioactive material and is subject to either a United States NRC general or specific license prohibiting the disruption and disturbance of the tailings. In some rare cases, such as may occur with deep burial where no ongoing site surveillance will be required, surface land ownership transfer requirements may be waived. For licenses issued before November 8, 1981, the United States Nuclear Regulatory Commission may take into account the status of the ownership of such land, and interests therein, and the ability of a licensee to transfer title and custody thereof to the United States or the state. [Statutory Authority: Chapter 70.121 RCW. 81-16-031 (Order 1683), § 402-52-100, filed 7/28/81.]

WAC 402-52-200 Continuing dose assessment. Each uranium or thorium milling operation shall submit in writing to the department by May 1 and November 1 of each year, reports specifying the quantities of each of the principle radionuclides released to unrestricted areas in liquid and in gaseous effluent during the previous six months of operations. This data shall be reported in a manner that will permit the department to confirm the potential annual radiation doses to the public. All data from the radiological and nonradiological environmental monitoring program will also be submitted for the same time period and frequency as specified above. The data shall be reported in a manner which will allow the department to confirm the potential annual radiation doses to the public. In addition, the report due each May 1 shall include a dose assessment to assure compliance with 40 CFR 190 Environmental Radiation Protection

Standards for Nuclear Power Operation and an annual land use survey to include but not be limited to water supply information, location and number of occupants, time spent at each location by occupants, amount and type of locally grown stored feed and amount of pasture consumed by local livestock. [Statutory Authority: Chapter 70.121 RCW. 81-16-031 (Order 1683), § 402-52-200, filed 7/28/81.]

Title 410 WAC RECIPROCITY COMMISSION

Chapters

410-20 Vehicle reciprocity.

Chapter 410-20 WAC VEHICLE RECIPROCITY

WAC

410-20-010	Application.
410-20-020	Definitions.
410-20-030	Basic policy defined.
410-20-040	Restrictions and conditions.
410-20-050	Administration.
410-20-060	Interpretation.
410-20-070	Regular meeting dates.

WAC 410-20-010 Application. In the absence of a written agreement between the state of Washington and another jurisdiction these rules shall apply to the operation of vehicles which are not licensed or registered in this state. [Statutory Authority: RCW 46.85.030. 81-02-030 (Order WRC-2), § 410-20-010, filed 1/5/81.]

WAC 410-20-020 Definitions. (1) "Resident" means any person who

- (a) resides in this state for a period in excess of six months in any continuous twelve month period; or
- (b) becomes a registered voter in this state; or
- (c) places children in a public school without paying nonresident tuition fees; or
- (d) receives benefits under one of the Washington public assistance programs; or
- (e) declares himself to be a resident for the purpose to obtain a state license or tuition fees at resident rates; or
- (f) is permanently employed in the state.

(2) "Military personnel" means active members of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, commissioned officers of the Public Health Service, and members of foreign military organizations assigned to this state on official duty.

(3) "Jurisdiction" means a state, territory, or possession of the United States, the District of Columbia, or a state or province of a country. [Statutory Authority: RCW 46.85.030. 81-02-030 (Order WRC-2), § 410-20-020, filed 1/5/81.]

WAC 410-20-030 Basic policy defined. Chapter 46.85 RCW authorizes the Washington reciprocity commission to enter into agreements with other jurisdictions

providing for the granting of mutual benefits, privileges, and exemption from payment of vehicle license and registration fees to owners of vehicles properly licensed or registered in one jurisdiction while being operated in Washington. Chapter 46.85 RCW further provides that in the absence of an agreement, vehicles properly licensed or registered in another jurisdiction shall receive, when operated in this state, the same benefits, privileges and exemptions granted by that jurisdiction to properly registered Washington vehicles.

It is the purpose of these rules to define this policy in terms of specific applications and to describe restrictions and conditions to the operation of vehicles in this state which are licensed in other jurisdiction. [Statutory Authority: RCW 46.85.030. 81-02-030 (Order WRC-2), § 410-20-030, filed 1/5/81.]

WAC 410-20-040 Restrictions and conditions. A vehicle properly licensed or registered in another jurisdiction may be operated in Washington without further registration requirements subject to the following conditions and restrictions[.][.]

(1) Nonresident tourists: Length of stay can not exceed six months in any one continuous twelve month period.

(2) Nonresident students: The student must be in full-time attendance at an institution of higher learning accredited by the Northwest association of schools and colleges and maintain their legal home of record at a location outside the state of Washington. Student's vehicles must be registered in their name or the name of their parent or legal guardian in the resident state of record. The student must carry documentation issued by the institution in the vehicle which readily establishes the nonresident status. Employment incidental to the full-time student status is permitted. The spouse of a nonresident student has the same licensing privilege as long as the vehicle is registered to the student or jointly to the student and spouse, regardless of the spouse's legal residence or employment.

(3) Nonresident military personnel: Vehicles must be currently registered in the name of the military person at his official home of record. A vehicle licensed at the last duty station may be operated until expiration of the registration at which time it must be licensed in the home of record or in Washington. The spouse of a nonresident military person has the same licensing privilege as long as the vehicle is registered to the military person or jointly to the military person and spouse, regardless of the spouse's legal residence or employment.

(4) Foreign tourists: Tourists from foreign countries are permitted to operate a vehicle which is currently licensed in their country of residence for up to one year from the date of entry of the vehicle into the United States.

(5) Temporary employment: Nonresident persons engaged in employment of a temporary nature may operate a vehicle in this state which is currently licensed in another jurisdiction for a period not to exceed six months. Proof of the temporary nature of the employment may be required.

(6) Borrowed vehicle: A borrowed vehicle currently licensed in another jurisdiction may be operated by a Washington resident for a period not to exceed ten days in any one calendar year. If the period of use exceeds ten days the vehicle must be registered and licensed in Washington. This provision does not apply to business vehicles.

(7) Salesmen: Nonresident salesmen based at a location outside Washington are permitted to operate vehicles not to exceed 12,000 pounds registered gross [vehicle] weight licensed in another jurisdiction in this state without restriction.

(8) Business vehicles: Vehicles up to and including 12,000 pounds registered gross vehicle weight bearing current license plates from another jurisdiction and used for business purposes in this state by a nonresident person or business are entitled to the same privileges as residents of that jurisdiction. Any vehicle owned or operated by a business or branch office of a business located in Washington must be registered in Washington. Vehicles provided to Washington residents by a business must be registered in Washington, but this shall not preclude the operation of a business vehicle licensed in another jurisdiction by a Washington resident when such use does not include overnight custody by the resident.

(9) Nonresident employed in Washington: May operate a vehicle licensed in another jurisdiction as long as no permanent, temporary, or part-time residence is maintained in this state.

(10) New resident: New Washington residents shall be allowed sixty days from the date of establishing residency to procure Washington registration for their vehicles. [Statutory Authority: RCW 46.85.030. 81-19-089 (Order WRC-3), § 410-20-040, filed 9/18/81; 81-02-030 (Order WRC-2), § 410-20-040, filed 1/5/81.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 410-20-050 Administration. The department of licensing of Washington shall be charged with the administration of these rules and regulations. [Statutory Authority: RCW 46.85.030. 81-02-030 (Order WRC-2), § 410-20-050, filed 1/5/81.]

WAC 410-20-060 Interpretation. The final decision regarding interpretation of questions at issue relating to these rules and regulations shall be made by the Washington reciprocity commission and shall upon determination be placed in writing. [Statutory Authority: RCW 46.85.030. 81-02-030 (Order WRC-2), § 410-20-060, filed 1/5/81.]

WAC 410-20-070 Regular meeting dates. Regular meetings of the reciprocity commission shall be held upon the third Thursday of March, June, September, and December, or the preceding day if that Thursday is a legal holiday. Additional public meetings necessary to discharge the business of the commission may be called

from time to time. [Statutory Authority: RCW 46.85-.030. 81-02-030 (Order WRC-2), § 410-20-070, filed 1/5/81.]

Title 415 WAC
DEPARTMENT OF RETIREMENT
SYSTEMS

Chapters

- 415-104** Law enforcement officers' and fire fighters' retirement board.
415-105 Local disability board procedures.

Chapter 415-104 WAC**LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT BOARD****WAC****SERVICE IN STATE ELECTIVE POSITIONS**

- 415-104-800** Continued LEOFF membership for members in state elective positions.
415-104-810 Contributions and service credit for members in state elective positions.
415-104-820 Members in state elective positions—Entitlement to benefits.
415-104-830 Operation if in conflict with state law.

SERVICE IN STATE ELECTIVE POSITIONS

WAC 415-104-800 Continued LEOFF membership for members in state elective positions. RCW 41.40.010(9)(b) provides in part as follows: "Service in any state elective position shall be deemed to be full time service, except that persons serving in state elective positions who are members of the teachers' retirement system or law enforcement officers' and fire fighters' retirement system at the time of election or appointment to such position may elect to continue membership in the teachers' retirement system or law enforcement officers' and fire fighters' retirement system."

An individual covered by RCW 41.40.010(9)(b) in order to remain an active member of the retirement system provided by chapter 41.26 RCW and receive service credit therein for elective service must execute a written election to do so in a format provided by the department. [Statutory Authority: RCW 41.50.050(6). 81-07-017 (Order 81-2), § 415-104-800, filed 3/10/81.]

WAC 415-104-810 Contributions and service credit for members in state elective positions. When an individual makes the election provided in WAC 415-104-800 the following shall apply:

(1) Service credit earned by virtue of elective service shall be credited in LEOFF together with service earned in LEOFF capacity except that no more than one month's service credit shall be allowed during any one calendar month.

(2) Contributions shall be paid on all basic salary earned either as a law enforcement officer or firefighter,

or as an elected official, by the employee at the rate prescribed for employees in the LEOFF retirement system.

(3) Contributions shall be paid on basic salary paid by the LEOFF employer or elected official employer at the rate prescribed for employers in the LEOFF retirement system. [Statutory Authority: RCW 41.50.050(6). 81-07-017 (Order 81-2), § 415-104-810, filed 3/10/81.]

WAC 415-104-820 Members in state elective positions—Entitlement to benefits. (1) In the event an individual who has made the election provided by WAC 415-104-800 qualifies and applies for a service or disability retirement or dies while serving in elective office, the basis for establishing the benefit amount shall be an imputed salary equal to the full salary the member would have been receiving according to the member's rank or position if the member had been in full-time service with the member's last LEOFF employer. Regular increases in basic salary will be included but increases based on promotions which might have occurred but which, in fact, did not occur shall not be considered.

(2) An individual who has made the election provided by WAC 415-104-800 shall not be eligible for a service retirement until such member has terminated both service as a law enforcement officer or fire fighter, and service as a state elective official.

(3) An individual who has made the election provided by WAC 415-104-800 shall not be eligible for a disability retirement allowance until such member has terminated both service as a law enforcement officer or fire fighter, and service as a state elective official.

(4) All payments for disability leave or for medical benefits for an individual who has made the election provided by WAC 415-104-800 shall be made by the individual's last LEOFF employer rather than his or her elective service employer. [Statutory Authority: RCW 41.50.050(6). 81-07-017 (Order 81-2), § 415-104-820, filed 3/10/81.]

WAC 415-104-830 Operation if in conflict with state law. If any part of WAC 415-104-800 through 415-104-820 shall be found to be in conflict with state law, such conflicting part shall be inoperative to the extent of such conflict. [Statutory Authority: RCW 41.50.050(6). 81-07-017 (Order 81-2), § 415-104-830, filed 3/10/81.]

Chapter 415-105 WAC**LOCAL DISABILITY BOARD PROCEDURES****WAC**

- 415-105-010** Preamble.
415-105-020 Purpose.
415-105-030 Board doctor.
415-105-040 Disability leave.
415-105-050 Examination for disability retirement.
415-105-060 Granting disability retirement.
415-105-070 Execution.
415-105-080 Appeal.
415-105-090 Reexamination and return to duty.