

43.01.040 or 43.01.044, shall be paid therefor under their contract of employment, or their estate if they are deceased, or if the employee in case of voluntary resignation has provided adequate notice of termination. Annual leave accumulated under RCW 43.01.044 is not to be included in the computation of retirement benefits.

Should the legislature revoke any benefits or rights provided under this 1985 act, no affected officer or employee shall be entitled thereafter to receive such benefits or exercise such rights as a matter of contractual right.

Passed the Senate April 23, 1985.

Passed the House April 16, 1985.

Approved by the Governor May 13, 1985.

Filed in Office of Secretary of State May 13, 1985.

## CHAPTER 293

[Substitute Senate Bill No. 3468]

### HANFORD CANDIDATE SITE—NUCLEAR WASTE BOARD TO MONITOR PROCESS

AN ACT Relating to radioactive waste disposal; amending RCW 43.200.015 and 43.200.150; adding new sections to chapter 43.200 RCW; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 1, chapter 161, Laws of 1984 and RCW 43.200.015 are each amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) "Board" means the nuclear waste board established in RCW 43.200.040.

(2) "Federal department of energy" means the federal department of energy or any successor agency assigned responsibility for the long-term disposal of high-level radioactive waste.

(3) "Nuclear regulatory commission" means the United States nuclear regulatory commission or any successor agency responsible for approving construction of a repository for the long-term disposal of high-level radioactive waste and spent nuclear fuel.

(4) "Hanford candidate site" means the site identified by the United States department of energy as a potentially acceptable site for the disposal of spent nuclear fuel and high-level radioactive waste pursuant to the nuclear waste policy act of 1982.

(5) "High-level radioactive waste" means "high-level radioactive waste" as the term is defined in 42 U.S.C. Sec. 10101 (P.L. 97-425).

~~((4))~~ (6) "Low-level radioactive waste" means waste material that contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable federal or state standards for unrestricted release. Low-level waste does not include

waste containing more than one hundred nanocuries of transuranic contaminants per gram of material, nor spent reactor fuel, nor material classified as either high-level radioactive waste or waste that is unsuited for disposal by near-surface burial under any applicable federal regulations.

(7) "Radioactive waste" means both high-level and low-level radioactive waste.

(8) "Spent nuclear fuel" means spent nuclear fuel as the term is defined in 42 U.S.C. Sec. 10101.

(9) "Department" means the department of ecology.

**NEW SECTION.** Sec. 2. A new section is added to chapter 43.200 RCW to read as follows:

The board shall monitor and evaluate the research performed by the federal department of energy that is undertaken for the purpose of determining the suitability of the Hanford candidate site for the location of a disposal facility for spent nuclear fuel and high-level radioactive waste. If the board is dissatisfied with the research performed by the federal department of energy, it shall conduct its own independent testing and evaluation activities, for which it shall seek funding from the federal government. The board shall report semiannually to the governor and the Washington state legislature on the results of research conducted under this section.

**NEW SECTION.** Sec. 3. A new section is added to chapter 43.200 RCW to read as follows:

(1) The board shall undertake studies: (a) To determine any potential economic, social, public health and safety, and environmental impacts of a repository for the long-term disposal of high-level radioactive waste and spent nuclear fuel on the state and its residents; (b) of the risks to the citizens of this state associated with the transportation of radioactive wastes by whatever mode into and through the state of Washington. The study shall include recommendations for state and local authorities on alternative routes for transportation of radioactive wastes which shall be developed in accordance with 49 C.F.R. part 177, appendix A. The study shall also examine the responsibilities and capabilities of state, local, and federal agencies to respond to transportation accidents involving radioactive waste and develop recommendations for improvement where needed to best protect the public health and safety. Progress reports on the study shall be made at each meeting of the board. The board shall set a completion date for the study to coincide with the need to establish state or local routing alternatives in accordance with the federal hazardous materials transportation act; (c) of the potential impacts of siting a repository for the long-term storage or disposal of high-level radioactive waste and spent nuclear fuel at the Hanford candidate site on the financial and technical resources of all affected state agencies and local governments. The board shall commence this study as soon as practicable and shall report on its progress in its semiannual reports required by RCW 43.200.020.

(2) The board shall develop a request for impact assistance to be submitted in the event the Nuclear Regulatory Commission approves construction of a repository at the Hanford candidate site.

(3) The board may undertake any other studies or activities for which it shall seek funding from the federal government.

Sec. 4. Section 14, chapter 161, Laws of 1984 and RCW 43.200.150 are each amended to read as follows:

The department shall provide administrative and technical staff support as requested by the board. As directed by the board, the department shall be responsible for obtaining and coordinating technical expertise necessary for board participation in nuclear waste programs and shall be responsible for ongoing technical coordination and administration of program activities. Other state agencies shall assist the board in fulfilling its duties to the fullest extent possible. The board and/or the department may contract with other state agencies to obtain expertise or input uniquely available from that agency. The board may contract with private parties to obtain expertise or input necessary to perform any study required in this chapter, for which it shall seek funding from the federal government.

NEW SECTION. Sec. 5. A new section is added to chapter 43.200 RCW to read as follows:

The board shall seek federal funds pursuant to the nuclear waste policy act of 1982, section 116 (P.L. 97-425), for the activities authorized by this act. In the event federal funds are not granted, the board shall investigate potential legal causes of action.

NEW SECTION. Sec. 6. A new section is added to chapter 43.200 RCW to read as follows:

This chapter may be known and cited as the Radioactive Waste Act.

NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate April 23, 1985.

Passed the House April 12, 1985.

Approved by the Governor May 13, 1985.

Filed in Office of Secretary of State May 13, 1985.

---

## CHAPTER 294

[Engrossed Senate Bill No. 3852]

### JOINT LEGISLATIVE COMMITTEE ON CHILD SUPPORT REPEALED

AN ACT Relating to the joint legislative committee on child support; and repealing section 36, chapter 260, Laws of 1984 (uncodified); repealing section 37, chapter 260, Laws of 1984 (uncodified); repealing section 38, chapter 260, Laws of 1984 (uncodified); and repealing section 39, chapter 260, Laws of 1984 (uncodified).