

**WAC 246-232-040 Reciprocal recognition of licenses.** Before radioactive material can be used at any temporary job site, the jurisdictional status of the job site must be determined. Authorization for use of radioactive material at job sites under exclusive federal jurisdiction must be obtained from the appropriate regional office of the NRC, Washington, D.C. 20555. Before radioactive materials can be used as a temporary job site in another state, authorization must be obtained from that state if it is an agreement state, or from the NRC if it is a nonagreement state.

(1) A person authorized by a license issued by the NRC or an agreement state, may obtain authorization from the department to work in Washington state provided:

(a) The out-of-state license is issued by the NRC or agreement state with jurisdiction where the licensee maintains an office for directing the licensed work and for retaining radiation safety records;

(b) The out-of-state licensee must not possess or use radioactive materials or conduct authorized work in Washington state for more than 180 days in that 12-month period which starts the date approval is granted, and the appropriate fee is received by the department, as required in chapter 246-254 WAC;

(c) The out-of-state licensing document authorizes the work conducted;

(d) The licensed work is not conducted in an area under exclusive federal jurisdiction;

(e) The appropriate fee is currently paid, as required in chapter 246-254 WAC. Licensees send fees to Washington State Department of Health, Revenue Accounting, P.O. Box 1099, Olympia, Washington 98504-1099;

(f) The out-of-state licensee notifies the department in writing at least three days before each entry into Washington state to conduct licensed work.

(i) The written notification must be sent to the Radioactive Materials Section, Department of Health, P.O. Box 47827, Olympia, Washington 98504-7827. Fax, email, or other notifications may be approved by the department.

(ii) The written notification must include use and storage location(s), start and end dates of licensed work, and type of proposed possession and use in Washington state, and must include licensing documents authorizing the licensed work.

(iii) If an unexpected need or emergency means the three-day notice is impossible or would impose an undue hardship on the out-of-state licensee, the out-of-state licensee may telephone the department (360-236-3221), for permission to proceed immediately.

(iv) The department may waive the requirement for filing additional written notifications during the remainder of the 12 months following the receipt of the initial notification.

(g) The out-of-state licensee must:

(i) Comply with all terms and conditions of the licensing document issued by the licensing authority except such terms or conditions contrary to the requirements or rules of the department or this section;

(ii) Comply with all applicable rules, terms and conditions of the department; and

(iii) Promptly provide other information the department may request.

(h) The out-of-state licensee must request approval for changes in work locations, radioactive material, or work conducted if different from the most recent information provided to the department.

(i) The out-of-state licensee may not transfer or dispose of radioactive material except by transfer to a person specifically licensed by the department or by the NRC or an agreement state to receive such material.

(j) The out-of-state specific licensee may possess or use radioactive material or conduct authorized work in offshore waters for more than 180 days in any calendar year, if the specific license issued by an agreement state or the NRC authorizes the specific licensee to possess or use radioactive material or conduct authorized work in offshore waters for an unlimited period of time.

(2) A person who holds a specific license issued by the NRC or an agreement state authorizing the holder to manufacture, install, or service a device described in WAC 246-233-020 within the areas subject to the jurisdiction of the licensing body is hereby granted a general license to install and service such device in this state in areas not under exclusive federal jurisdiction provided:

(a) Such person must file a report with the department within 30 days after the end of each calendar quarter in which any device is transferred to or from, or installed in this state. Each report must identify each general licensee to or from whom such device is transferred by name and address, the device manufacturer (or initial transferor), model number and serial number, and the quantity and type of radioactive material contained in the device;

(b) The device has been, and is, manufactured, labeled, installed, and serviced in accordance with applicable provisions of the specific license issued to a person by the NRC or an agreement state;

(c) Such person must ensure that any labels required to be affixed to the device under rules of the authority which licensed the manufacture of the device bear a statement that removal of the label is prohibited; and

(d) The specific licensee must provide each general licensee to and from whom such device is transferred, or on whose premises such device is installed, a copy of the general license in WAC 246-233-020.

(3) The department may withdraw, limit, or qualify its acceptance of any specific license or equivalent licensing document issued by another agency, or any product distributed pursuant to such licensing document, upon determining that such action is necessary to prevent undue hazard to public health and safety, or to the environment, or to property.

[Statutory Authority: RCW 70A.388.040 and 70A.388.110. WSR 22-19-084, § 246-232-040, filed 9/20/22, effective 10/21/22. Statutory Authority: RCW 70.98.050. WSR 13-24-025, § 246-232-040, filed 11/22/13, effective 12/23/13; WSR 04-04-055, § 246-232-040, filed 1/30/04, effective 3/1/04; WSR 01-02-068, § 246-232-040, filed 12/29/00, effective 1/29/01; WSR 99-15-105, § 246-232-040, filed 7/21/99, effective 8/21/99; WSR 98-13-037, § 246-232-040, filed 6/8/98, effective 7/9/98. Statutory Authority: RCW 70.98.050 and 70.98.080. WSR 91-15-112 (Order 184), § 246-232-040, filed 7/24/91, effective 8/24/91. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-232-040, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.98.080. WSR 87-01-031 (Order 2450), § 402-19-250, filed 12/11/86; WSR 83-19-050 (Order 2026), § 402-19-250, filed 9/16/83. Statutory Authority: RCW 70.98.050. WSR 81-01-011 (Order 1570), §

402-19-250, filed 12/8/80. Statutory Authority: RCW 70.98.080. WSR 79-12-073 (Order 1459), § 402-19-250, filed 11/30/79, effective 1/1/80. Formerly WAC 402-20-210.]