

WAC 246-247-100 Enforcement actions. (1) In accordance with RCW 70A.15.3130, the department may take any of the following actions to enforce compliance with the provisions of this chapter:

(a) Notice of violation and compliance order (RCW 70A.15.3010).

(b) Restraining order or temporary or permanent injunction (RCW 70A.15.3140; also RCW 70A.388.160).

(c) Penalty: Either fine or imprisonment, or both, for each separate violation (RCW 70A.15.3150).

(d) Civil penalty: Up to ten thousand dollars for each day of continued noncompliance (RCW 70A.15.3160 (1) through (7)).

(e) Assurance of discontinuance (RCW 70A.15.3170).

(2) The department, in accordance with RCW 70A.388.040 (4)(1), may issue subpoenas in order to compel either the attendance of witnesses or production of records, or both, in connection with any adjudicative or other administrative proceeding.

(3) The department, in accordance with RCW 70A.388.180, may impound sources of ionizing radiation.

(4) The secretary of the department, in accordance with RCW 43.70.190, is authorized to bring an action to prohibit a violation or a threatened violation of any department rules or regulation, or to bring any legal proceeding authorized by law to a county superior court.

(5) Any party, against which an enforcement action is brought by the department, has the right to submit an application for the adjudicative process in accordance with chapter 246-10 WAC and chapter 34.05 RCW.

[Statutory Authority: RCW 70A.388.040, 70A.388.050(5) and 2020 c 20. WSR 21-22-118, § 246-247-100, filed 11/3/21, effective 12/4/21. Statutory Authority: RCW 70.98.050 and 70.98.080. WSR 18-01-083, § 246-247-100, filed 12/15/17, effective 1/15/18. Statutory Authority: Chapters 70.98 and 70.94 RCW and chapter 173-480 WAC. WSR 94-07-010, § 246-247-100, filed 3/4/94, effective 4/4/94. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-247-100, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.98.080. WSR 87-01-031 (Order 2450), § 402-80-100, filed 12/11/86.]