

WAC 246-249-020 Site use permit. (1) Each generator and each broker of radioactive waste shall:

(a) Possess an active valid, and unencumbered site use permit prior to the shipment of such waste to, or the disposal of such waste at any commercial disposal facility in the state of Washington.

(b) Renew the site use permit annually to maintain the permit in active status.

(2) If a generator or broker does not renew the permit:

(a) The department shall place the permit in inactive status; and

(b) The generator or broker shall pay a reinstatement fee in addition to the annual site use permit fee as required in WAC 246-254-165.

(3) Each generator and each broker of radioactive waste shall:

(a) Pay the site use permit fees required in WAC 246-254-165;

(b) Submit a completed application for a site use permit to the department on a form provided by the department;

(c) Ensure that each application is signed by the individual broker or generator or by an individual authorized to sign on behalf of the entity generating or brokering the waste; and

(d) Submit the application for site use permit renewal a minimum of four weeks prior to the expiration date of the permit.

(4) Number of permits required by each generator.

(a) Generators who own multiple facilities may apply for one site use permit provided:

(i) All facilities are within the same state; and

(ii) The generator has identified a single contact person who is responsible for responding to the department on matters pertaining to waste shipments for all of the facilities.

(b) Generators who own multiple facilities shall apply for separate site use permits for each facility when:

(i) The facilities are located in different states; or

(ii) The generator has identified different contact persons for each facility who are responsible for responding to the department on matters pertaining to waste shipments.

(c) When a facility both generates and brokers waste, each generator and broker shall possess separate generator and broker site use permits.

(5) Each broker shall:

(a) Ensure a generator of waste has an active, valid, and unencumbered site use permit prior to shipment of waste for disposal;

(b) Ensure the waste will arrive at the disposal facility prior to the expiration date of the generator's site use permit;

(c) Ensure all radioactive waste contained within a shipment accepted for disposal at any commercial radioactive waste disposal facility in the state of Washington is traceable to the original generators and states, regardless of whether the waste is shipped directly from the point of generation to the disposal facility or shipped through a licensed service facility, such as a facility for recycling, processing, compacting, incinerating, collecting, or brokering waste; and

(d) As consignor, assumes co-responsibility with a generator for all aspects of that generator's waste until it can be documented to the department's satisfaction that the broker's sphere of responsibility was limited.

(6) Any generator or broker shipping waste for disposal at the commercial low-level radioactive waste disposal site that was originally generated in the Rocky Mountain compact region shall attach to

the shipping manifest and provide to the disposal site operator a copy of the letter granting approval to export waste from the Rocky Mountain compact region.

(7) Suspension or revocation of permit.

(a) The department may suspend the site use permit of the responsible generator, or broker, or both the generator and broker if one or more packages in a shipment of waste does not meet one or more of the requirements of the license issued to the commercial low-level radioactive waste disposal site operator, Title 246 WAC, NRC regulations, DOT regulations, or the conditions of the disposal site operator's radioactive materials license.

(b) The site use permit of a generator or broker may be suspended or revoked if any other licensed commercial low-level radioactive waste disposal site in the United States has refused to accept waste from that generator or broker.

(c) A suspended site use permit may be reinstated provided:

(i) The generator or broker whose permit has been suspended submits a quality assurance procedure designed to correct previous problems and to achieve and maintain compliance with all applicable requirements; and

(ii) A point-of-origin inspection by the state of Washington of the waste management activities of the generator or broker whose permit has been suspended, indicated compliance with all applicable requirements and regulations.

(8) Additional generator and broker requirements. Permittees shall provide additional information as requested by the department for the safe management of radioactive waste in the state of Washington.

[Statutory Authority: RCW 70.98.050 and 70.98.110. WSR 17-01-034, § 246-249-020, filed 12/12/16, effective 1/12/17. Statutory Authority: RCW 70.98.085 and 70.98.050. WSR 13-17-036, § 246-249-020, filed 8/12/13, effective 9/12/13. Statutory Authority: Chapter 70.98 RCW. WSR 95-13-094, § 246-249-020, filed 6/21/95, effective 7/22/95. Statutory Authority: RCW 70.98.050 and 70.98.080. WSR 91-16-109 (Order 187), § 246-249-020, filed 8/7/91, effective 9/7/91. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-249-020, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.98.080. WSR 87-01-031 (Order 2450), § 402-62-030, filed 12/11/86.]