

**WAC 246-249-080 Naturally occurring and accelerator produced radioactive material (NARM), excluding source material.** (1) In addition to requirements for a disposal site use permit contained in WAC 246-249-020, single generators of naturally occurring or accelerator produced radioactive material shall obtain the specific approval of the department prior to offering wastes for disposal.

(2) Applications for specific departmental approval must be submitted to the department for volumes greater than one thousand cubic feet of diffuse NARM, and must describe:

(a) The chemical processes which produce or have produced the waste;

(b) The volume of waste to be disposed; and

(c) The radionuclides in the waste.

(3) A request for specific approval may be approved if the department finds the material is:

(a) In conformance with conditions of all licenses and permits issued to the disposal site operator; and

(b) Consistent with protection of the public health, safety and environment.

(4) Diffuse naturally occurring and accelerator produced radioactive material, excluding source material, shall be limited to a total site volume of no more than one hundred thousand cubic feet per calendar year. This annual disposal limit does not apply to:

(a) Accelerator produced radioactive material excluding decommissioning waste; and

(b) Discrete sealed sources. For purposes of this section, sealed sources means any device containing naturally occurring radioactive material or accelerator produced radioactive material to be used as a source of radiation which has been constructed in such a manner as to prevent the escape of any radioactive material.

(5) Rollover provision. For a given calendar year, the site licensee may apply to the department for an increase in the site volume limit not to exceed the cumulative rollover volume from previous years. The licensee must submit an application to the department describing the request and addressing the possible impacts. The department may approve the application if it finds that disposal of rollover volumes in excess of one hundred thousand cubic feet per year is appropriate based on the real or potential impacts to the public health, safety and environment.

(6) Emergency provision. If the annual total site volume limit has been met and an emergency situation occurs, single generators of diffuse NARM may seek emergency approval from the secretary to dispose of waste in excess of volume limitations. The secretary may approve emergency disposal if he or she finds that an emergency exists based upon the circumstances described by the applicant, the real or potential impact on the public health and safety as determined by the department and that approval of such additional disposal is consistent with protecting the public health and safety of the citizens of the state of Washington.

(7) The department shall review this section, every five years, beginning five years from the rule's effective date.

[Statutory Authority: RCW 70.98.050. WSR 05-21-128, 05-23-113 and 06-01-105, § 246-249-080, filed 10/19/05, 11/18/05 and 12/21/05, effective 8/15/06. Statutory Authority: Chapter 70.98 RCW. WSR 95-13-094, § 246-249-080, filed 6/21/95, effective 7/22/95. Statutory Authority: RCW 70.98.050 and 70.98.080. WSR 91-16-109 (Order 187), §

246-249-080, filed 8/7/91, effective 9/7/91. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-249-080, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.98.080. WSR 87-01-031 (Order 2450), § 402-62-090, filed 12/11/86.]