

**WAC 246-235-020 General requirements for the issuance of specific licenses.** Upon a determination that an application meets the requirements of this section, chapters 70A.388 RCW and 246-220 through 246-254 WAC, the department will issue a specific license authorizing the possession and use of radioactive material.

(1) The application is for a purpose authorized by chapter 70A.388 RCW;

(2) The applicant is qualified by training and experience to use the material for the purpose requested in such manner as to protect health and safety and minimize danger to life or property;

(3) The applicant's proposed equipment, facilities, and procedures are adequate to protect health and safety and minimize danger to life or property;

(4) The issuance of the license will not harm the health and safety of the public;

(5) The applicant satisfies any applicable special requirements in chapters 246-220 through 246-254 WAC; and

(6) In the case of an application for a license to receive and possess radioactive material for commercial waste disposal by land burial, source material milling, uranium enrichment facility construction and operation, production of uranium hexafluoride, or for the conduct of any other activity which the department determines will significantly affect the quality of the environment, the applicant may not begin construction until the department has weighed the environmental, economic, technical, and other benefits against the environmental costs, and, considering available alternatives, has concluded that the issuance of the license is appropriate, with any appropriate conditions to protect environmental values. Commencement of construction prior to approval by the department shall be grounds for denial of a license to receive and possess radioactive material in the plant or facility. Commencement of construction as defined in chapter 246-220 WAC may include nonconstruction activities if the activity has a reasonable nexus to radiological safety and security.

[Statutory Authority: RCW 70A.388.040 and 70A.388.110. WSR 22-19-084, § 246-235-020, filed 9/20/22, effective 10/21/22. Statutory Authority: RCW 70.98.050. WSR 15-06-015, § 246-235-020, filed 2/23/15, effective 3/26/15; WSR 06-05-019, § 246-235-020, filed 2/6/06, effective 3/9/06; WSR 98-13-037, § 246-235-020, filed 6/8/98, effective 7/9/98. Statutory Authority: RCW 70.98.050 and 70.98.080. WSR 91-15-112 (Order 184), § 246-235-020, filed 7/24/91, effective 8/24/91. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-235-020, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.98.080. WSR 87-01-031 (Order 2450), § 402-22-040, filed 12/11/86. Statutory Authority: Chapter 70.121 RCW. WSR 81-16-031 (Order 1683), § 402-22-040, filed 7/28/81. Statutory Authority: RCW 70.98.080. WSR 79-12-073 (Order 1459), § 402-22-040, filed 11/30/79, effective 1/1/80. Formerly WAC 402-20-060.]