

HOUSE BILL REPORT

SSB 6383

*As Reported By House Committee on:
Energy & Utilities*

Title: An act relating to financial assurance.

Brief Description: Requiring financial assurance for the disposal of radioactive waste.

Sponsor(s): By Senate Committee on Energy & Utilities (originally sponsored by Senator Thorsness).

Brief History:

Reported by House Committee on:
Energy & Utilities, February 25, 1992, DP.

**HOUSE COMMITTEE ON
ENERGY & UTILITIES**

Majority Report: *Do pass.* Signed by 10 members: Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Miller; and Rayburn.

Staff: Fred Adair (786-7113).

Background: Low level radioactive materials licensees, those persons licensed to handle and transport radioactive materials, and permittees, those persons issued permits to dispose of radioactive waste at the Hanford disposal site, are both required to execute agreements indemnifying and holding harmless the state from any liability arising from the transportation and handling of radioactive waste and materials. These licensees and permittees must also maintain liability insurance coverage and provide evidence of such coverage to the appropriate agency.

The Low Level Radioactive Materials Task Force reported that there is virtually no tort liability risk to the state arising from the state's regulation of low level radioactive materials licensees, but that there may be liability to the state arising from the regulation of Hanford site disposal permittees. The task force recommended that indemnity agreements be required only of permittees but not licensees, and that the statutory requirements mandating insurance

coverage be changed to make financial assurances the exception rather than the rule.

Summary of Bill: The provisions relating to indemnification for operations and activities of low level radioactive materials licensees are deleted. The agencies are given discretion over when to require financial assurances with regard to insurance coverage.

Those persons who are both licensees and permittees must comply with the same documentation requirements of one of the two agencies, but not both simultaneously.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill is needed to correct faulty statutes which have excessive and, in some cases, infeasible requirements.

Testimony Against: None.

Witnesses: Senator Leo Thorsness, prime sponsor (pro); and Robb Menaul, Washington State Hospital Association (pro).