

CERTIFICATION OF ENROLLMENT  
**SUBSTITUTE SENATE BILL 5645**

52nd Legislature  
1991 Regular Session

Passed by the Senate March 13, 1991  
Yeas 47 Nays 0

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**President of the Senate**

Passed by the House April 11, 1991  
Yeas 93 Nays 0

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**Speaker of the  
House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5645** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**



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**SUBSTITUTE SENATE BILL 5645**

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Passed Legislature - 1991 Regular Session

**State of Washington                      52nd Legislature                      1991 Regular Session**

**By** Senate Committee on Energy & Utilities (originally sponsored by Senators Thorsness and Williams).

Read first time March 6, 1991.

1            AN ACT Relating to liability of handlers of low-level radioactive  
2 waste; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.    **Sec. 1.**            (1) The low-level radioactive materials  
5 task force is created, consisting of the directors of the department of  
6 general administration, department of ecology, and office of financial  
7 management, or their designees; the secretary of the department of  
8 health, or his or her designee; the chief of the Washington state  
9 patrol, or his or her designee; and the chair of the utilities and  
10 transportation commission, or his or her designee. The department of  
11 general administration shall serve as the lead agency of the task  
12 force.

13            (2) The task force shall create a working group that includes  
14 representatives of a broad range of affected interests in the use,  
15 handling, packaging, transporting, and disposal of low-level

1 radioactive materials and waste, including licensees and permittees of  
2 state agencies involved in the regulation of such activities, such as  
3 hospitals, industrial radiographers, manufacturers, transporters, and  
4 insurers. The working group shall provide information, advice, and  
5 technical assistance to the task force.

6 (3) The task force shall report to the energy and utilities  
7 committees of the senate and the house of representatives by December  
8 15, 1991, on its findings and recommendations as to liability insurance  
9 for the state's licensees and permittees, and an assessment of the risk  
10 and risk management for the state with regard to damages arising out of  
11 the activities of the licensees, including requirements for  
12 indemnifying and holding the state harmless for such damage. The task  
13 force shall utilize, to the maximum extent possible, recent reports to  
14 the legislature from the department of ecology and the department of  
15 health on these and related topics. The report of the task force  
16 shall, at a minimum, address the following:

17 (a) The risk to the state from the activities engaged in by the  
18 licensees and permittees;

19 (b) Possible modifications to existing requirements under state law  
20 for regulated persons to indemnify and hold the state harmless from  
21 damage arising from their activities, including limitations on the  
22 amounts of such requirements, limitations on the extent of liability to  
23 reflect the degree of fault, and exemptions from such requirements for  
24 certain categories of licensees or permittees;

25 (c) The availability and cost of liability insurance for the  
26 activities of licensees and permittees;

27 (d) The availability and cost of, and the potential for an active  
28 role by the state in obtaining from licensees or permittees, forms of  
29 financial assurance or guarantees other than liability insurance; and

1           (e) Existing or anticipated federal insurance requirements for such  
2 activities.

3           The report shall contain recommendations or alternatives for  
4 legislative action.