

# Chapter 173-325 WAC

## LOW-LEVEL RADIOACTIVE WASTE DISPOSAL

### WAC

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**WAC 173-325-010 Purpose.** The purpose of this chapter is to implement section 4, chapter 2, Laws of 1986, which implements the Federal Low-Level Radioactive Waste Policy Amendments Act of 1985.

[Statutory Authority: 1986 c 2 § 5. WSR 86-15-008 (Order 86-14), § 173-325-010, filed 7/7/86.]

**WAC 173-325-020 Definitions.** (1) "Site" means the commercial low-level radioactive waste disposal site located near Richland, Washington.

(2) "Low-level radioactive waste" means radioactive material that:

(a) Is not high-level radioactive waste, spent nuclear fuel, or byproduct material (as defined in section 11e.(2) of the Atomic Energy Act of 1954 (42 U.S.C. 2014(3)(2))); and

(b) The Nuclear Regulatory Commission, consistent with existing law and in accordance with paragraph (A), classifies as low-level radioactive waste.

(3) "Northwest compact region" means the states of Washington, Oregon, Idaho, Utah, Montana, Alaska, and Hawaii.

(4) "Southeast compact region" means the states of South Carolina, North Carolina, Virginia, Tennessee, Florida, Mississippi, Alabama, and Georgia.

(5) "Rocky Mountain compact region" means the states of Nevada, Colorado, Wyoming, and New Mexico.

(6) "Department" means the department of ecology.

(7) "P.L. 99-240" means the Federal Low-Level Radioactive Waste Policy Amendments Act of 1985, 99 Stat. 1842.

[Statutory Authority: RCW 43.200.180 and 43.200.070. WSR 99-22-078 (Order 99-21), § 173-325-020, filed 11/2/99, effective 12/3/99. Statutory Authority: 1986 c 2 § 5. WSR 86-15-008 (Order 86-14), § 173-325-020, filed 7/7/86.]

**WAC 173-325-030 Requirements for generators and brokers.** (1) Any generator or broker shipping waste that originated outside the northwest compact region for disposal at the site shall pay to the state of Washington a surcharge as follows:

(a) From March 1, 1986 through December 31, 1987, \$10 per cubic foot of waste.

(b) From January 1, 1988 through December 31, 1989, \$20 per cubic foot of waste.

(c) From January 1, 1990, through December 31, 1992, \$40 per cubic foot of waste.

(2) In addition, the department may impose penalty surcharges up to the maximum extent allowed by P.L. 99-240.

(11/2/99)

(3) Surcharge payments must be mailed or electronically transferred no later than the day the respective waste shipment leaves the state of origin. In the lower left hand corner of the check, the valid site use permit number and shipment manifest number must be recorded. For electronic transfers, the valid site use permit number, and shipment manifest number, followed by the name of the facility (limited to 35 characters) must be transmitted at the time of the transfer. A copy of the face of the check, or of the receipt for wire transfer must be attached to the shipping manifest when the shipment arrives at the disposal site.

(4) Surcharge payment may be made by a check payable to the state of Washington or by electronic transfer. Checks should be mailed to:

"LLW SURCHARGE"  
Cashier  
Fiscal Office  
Department of Ecology  
P.O. Box 5128  
Olympia, WA 98509-5128

Electronic transfers should be directed to:

State Treasurer  
Concentration Account  
Seafirst National Bank  
P.O. Box 24678  
Seattle, WA 98124  
Account #125000024

(5) Prenotification forms (#A-1 and #B-1) are no longer required.

(6) Brokers are required to attach to the shipping manifest a tabulated list of those generators whose waste is being shipped. The tabulated list must include the following information in the format specified:

Date of Shipment: . . . . .

Valid Site Use Permit #	Generator	State	Compact Region	Volume	Surcharge
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(7) Any generator or broker shipping waste that was originally generated in the southeast compact region for disposal at the site must attach to the shipping manifest a copy of the letter granting certification to export waste from the southeast compact region.

(8) Any generator or broker shipping waste that was originally generated in the Rocky Mountain compact region for disposal at the site must attach to the shipping manifest a copy of the letter granting approval to export waste from the Rocky Mountain compact region.

(9) Violation of any of these requirements may result in revocation of a generator's or broker's Washington State site use permit. Upon revocation of a site use permit, subsequent

reissuance may be conditioned upon agreement to comply with appropriate conditions, such as a condition that surcharge payments be made by certified or cashier's check, and be received in advance, and a condition that the state of Washington be provided specific information at least three days before the shipment.

[Statutory Authority: RCW 43.200.180 and 43.200.070. WSR 99-22-078 (Order 99-21), § 173-325-030, filed 11/2/99, effective 12/3/99. Statutory Authority: 1986 c 2 § 5. WSR 86-15-008 (Order 86-14), § 173-325-030, filed 7/7/86.]

**WAC 173-325-040 Requirements for site operator.**

(1) For each waste shipment for which a surcharge is due (as required by WAC 173-325-030 (1)-(2)), arriving at the facility, obtain a copy of the surcharge payment check or receipt of electronic wire transfer before receiving the waste shipment for disposal.

(2) For each waste shipment of a broker arriving at the facility, obtain the written information required by WAC 173-325-030(5) before receiving the waste shipment for disposal.

(3) For each waste shipment that contains waste that was originally generated in the southeast compact region arriving at the facility, obtain a copy of the letter granting certification to export waste from the southeast compact region.

(4) For each waste shipment that contains waste that was originally generated in the Rocky Mountain compact region arriving at the facility, obtain a copy of the letter granting approval to export waste from the Rocky Mountain compact region.

(5) Provide to the Washington state department of ecology information on each waste shipment received for disposal at the facility, as requested by the department.

[Statutory Authority: RCW 43.200.180 and 43.200.070. WSR 99-22-078 (Order 99-21), § 173-325-040, filed 11/2/99, effective 12/3/99. Statutory Authority: 1986 c 2 § 5. WSR 86-15-008 (Order 86-14), § 173-325-040, filed 7/7/86.]

**WAC 173-325-050 Effective dates.** This chapter shall take effect April 21, 1986, (1) except the requirements in WAC 173-325-030 (1)-(2), which took effect March 1, 1986, and (2) WAC 173-325-040(3), which takes effect immediately.

[Statutory Authority: RCW 43.200.180 and 43.200.070. WSR 99-22-078 (Order 99-21), § 173-325-050, filed 11/2/99, effective 12/3/99. Statutory Authority: 1986 c 2 § 5. WSR 86-15-008 (Order 86-14), § 173-325-050, filed 7/7/86.]