Chapter 173-326 WAC

COMMERCIAL LOW-LEVEL RADIOACTIVE WASTE DISPOSAL—SITE USE PERMITS

**WAC 173-326-010 Purpose.** The purpose of this chapter is to institute a user permit system and issue site use permits, consistent with regulatory practices, for generators, packagers, or brokers using the Hanford low-level radioactive waste disposal facility (RCW 43.200.080(4)). These rules are in addition to applicable requirements of the United States Nuclear Regulatory Commission (NRC), the United States Department of Transportation (DOT), the requirements of the department of health, Title 246 WAC, other requirements of Title 173 WAC, and conditions of the license issued to the disposal site operator(s).


**WAC 173-326-020 Definitions.** (1) For the purposes of chapter 173-326 WAC, "low-level radioactive waste" means any radioactive waste which is acceptable for disposal at the Hanford commercial radioactive waste disposal facility.

(2) "Broker" means a person who performs one or more of the following functions for a low-level radioactive waste generator, provided it shall not mean a carrier whose sole function is to transport such low-level radioactive waste:

(a) Arranges for transportation of the low-level radioactive waste;

(b) Collects and/or consolidates shipments of such low-level radioactive waste;

(c) Processes such low-level radioactive waste in some manner.

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

(4) "Generator" means the last person who puts radioactive material to practical use, and who then declares it to be no longer of use or value.

(5) "Shipment" means the total low-level radioactive waste material transported in one vehicle.

(6) "Packager" means broker for the purposes of chapter 173-326 WAC.

(7) "Nuclear utility" means any operating or inactive nuclear utility.


(12/2/92)
from the point of generation to the disposal facility, or shipped through a licensed service facility such as a facility for recycling, processing, compacting, incinerating, collecting, or brokering waste.


WAC 173-326-040 Payment procedures. (1) Generator payment procedures.

Each application shall be accompanied by full payment of the generator fee as required in WAC 173-326-050 (1)(c). Generators who fail to apply for a permit by March 1, 1993, or fail to maintain a permit in active status, must also include payment of the reinstatement fee as required in WAC 173-326-050 (1)(e).

(2) Broker fee payment procedures.

Each application shall be accompanied by full payment of the broker fee as required in WAC 173-326-050(2). Brokers who fail to apply for a permit by March 1, 1993, or fail to maintain a permit in active status, must also include payment of the reinstatement fee as required in WAC 173-326-050 (1)(e).


WAC 173-326-050 Permit fees. (1) Generator site use permit fee.

(a) For the purpose of assessing generators permit fees (other than nuclear utilities, new generators, and applicants requiring reinstatement), the total annual volume (cubic feet) deposited by each generator during the previous calendar year will be used. Nuclear utilities fees will be based on the ratio found in (b) of this subsection.

(b) The annual site use permit fee for generators shall be determined by the following ratio:

<table>
<thead>
<tr>
<th>Classification</th>
<th>Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt; 50 cubic feet</td>
<td>1x</td>
</tr>
<tr>
<td>≥ 50 &lt; 500 cubic feet</td>
<td>2x</td>
</tr>
<tr>
<td>≥ 500 &lt; 1000 cubic feet</td>
<td>5x</td>
</tr>
<tr>
<td>≥ 1000 &lt; 2500 cubic feet</td>
<td>10x</td>
</tr>
<tr>
<td>≥ 2500 cubic feet</td>
<td>35x</td>
</tr>
<tr>
<td>Nuclear Utilities</td>
<td>100x</td>
</tr>
</tbody>
</table>

The value of x, which represents the annual base fee, will be published in the Washington State Register pursuant to (c) of this subsection.

(c) Fees will be adjusted annually, as required, utilizing the $1x:2x:5x:10x:35x:100x$ ratio. Fee rates will be published in the Washington State Register and distributed to generators by the first day of each calendar year.

(d) A new generator's permit fees will be based on the generator's estimate of the volume (cubic feet) of waste requiring disposal during the first year. If a generator's waste deposits exceed the generator's volume projection, the permit will be suspended until additional fees are paid. Overpayment will be credited toward the site use permit fee for the subsequent year.

(e) A generator or broker who has not obtained a new permit by March 1, 1993, or fails to maintain annual renewal of the permit shall include an additional payment of one thousand dollars. The permit fee for these generators will be based on the volume of waste disposed during the most recent calendar year in which waste was disposed.

(2) Broker site use permit fee. The annual cost of a permit for a broker shall be one thousand dollars.

[Statutory Authority: Chapter 43.200 RCW. WSR 92-24-101 (Order 91-52), § 173-326-050, filed 12/2/92, effective 3/1/93.]

WAC 173-326-060 Requirements for site operator.
The site operator shall provide the department of ecology with information on each waste shipment accepted for disposal at the site as requested by the department.

[Statutory Authority: Chapter 43.200 RCW. WSR 92-24-101 (Order 91-52), § 173-326-060, filed 12/2/92, effective 3/1/93.]