

SENATE BILL REPORT

SHB 2873

AS REPORTED BY COMMITTEE ON ENERGY & UTILITIES, FEBRUARY 28, 1992

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

**SPONSORS:** House Committee on Energy & Utilities (originally sponsored by Representatives Grant, May and Rayburn)

**HOUSE COMMITTEE ON ENERGY & UTILITIES**

**SENATE COMMITTEE ON ENERGY & UTILITIES**

**Majority Report:** Do pass.

Signed by Senators Thorsness, Chairman; Saling, Vice Chairman; Jesernig, Patterson, Stratton, Sutherland, and Williams.

**Staff:** Andrew Scott (786-7198)

**Hearing Dates:** February 25, 1992; February 28, 1992

**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.

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:**

The statutory 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.

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.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** available

**TESTIMONY FOR:**

This bill effectively incorporates the recommendations of the Low Level Radioactive Materials Task Force.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Robb Menaul, Washington State Hospital Association  
(pro)