

SENATE BILL REPORT

SB 6383

AS REPORTED BY COMMITTEE ON ENERGY & UTILITIES, FEBRUARY 6, 1992

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

SPONSORS: Senator Thorsness

SENATE COMMITTEE ON ENERGY & UTILITIES

Majority Report: That Substitute Senate Bill No. 6383 be substituted therefor, and the substitute bill do pass.

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

Staff: Andrew Scott (786-7198)

Hearing Dates: February 4, 1992; February 6, 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 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:

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.

EFFECT OF PROPOSED SUBSTITUTE:

Both the Department of Ecology and the Department of Health are given discretion over whether to require financial assurance from either a licensee or permittee. 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: requested February 3, 1992

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 Assn. (pro); Lynette Ross, Valley Medical Center (pro); Barry Bede, US Ecology (pro)