

# SENATE BILL REPORT

## SSB 5059

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As Passed Senate, March 16, 1999

**Title:** An act relating to the transportation impacts of uranium mill tailings or waste.

**Brief Description:** Allowing counties to assess impact fees to cover the costs associated with the transportation of uranium mill tailings over their roadways.

**Sponsors:** Senate Committee on Environmental Quality & Water Resources (originally sponsored by Senators Brown and Morton).

**Brief History:**

**Committee Activity:** Environmental Quality & Water Resources: 1/19/99, 3/2/99 [DPS]. Passed Senate, 3/16/99, 45-2.

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### SENATE COMMITTEE ON ENVIRONMENTAL QUALITY & WATER RESOURCES

**Majority Report:** That Substitute Senate Bill No. 5059 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chair; Eide, Vice Chair; Morton, Jacobsen, McAuliffe and Swecker.

**Minority Report:** Do not pass substitute.

Signed by Senator Honeyford.

**Staff:** Richard Rodger (786-7461)

**Background:** The site of the uranium milling operation next to the Spokane Indian Reservation in Stevens County is being reclaimed. The Department of Health has the authority to direct reclamation of uranium and thorium mills.

In 1995 the state approved a closure plan for the mill and authorized the importation of low-level radioactive waste to use as fill material on the site. The state permit is due to expire at the end of January 1999. Millions of cubic feet of material will be required to fill the impoundment. Concerns have been raised about the counties' need for additional funds to pay for planning, road repairs, and accident response associated with the transportation of this amount of fill.

**Summary of Bill:** Counties affected by the transportation of low-level radioactive waste, classified as 11e(2) waste under the Atomic Energy Act, are authorized to recover reasonable fees to plan for and respond to the movement of such waste.

A county may assess impact fees to cover the costs reasonably necessary for the county to prepare for and respond to the movement of 11e(2) low-level radioactive waste. Impact fees may be assessed only after the county conducts a hearing on the potential transportation and

safety impacts and the extent to which the state plan for authorizing transportation addresses the impacts on the county.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The Dawn Mining Company mill site needs to be reclaimed and the reclamation plan include the importation of a vast amount of low level radioactive waste. The counties should be allowed to charge a impact fee to cover their costs related to planning, road repairs and accident response.

**Testimony Against:** Impact fees were rejected as an option when the closure plan was developed and agreed to by the state. The company is already required to post a bond or directly pay the county to cover any related costs.

**Testified:** Senator Lisa Brown; Mark Dodson, Harbor Resort, Westport; Liz Moore, DawnWatch (pro); Michael Irving (pro); David Delcour, Dawn Mining Company (con).