
SUBSTITUTE SENATE BILL 5059

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Environmental Quality & Water Resources
(originally sponsored by Senators Brown and Morton)

Read first time 03/03/99.

1 AN ACT Relating to the transportation impacts of uranium mill
2 tailings or waste; amending RCW 70.121.010; and adding a new section to
3 chapter 70.121 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 70.121.010 and 1979 ex.s. c 110 s 1 are each amended
6 to read as follows:

7 The legislature finds that:

8 (1) The milling of uranium and thorium creates potential hazards to
9 the health of the citizens of the state of Washington in that
10 potentially hazardous radioactive isotopes, decay products of uranium
11 and thorium, naturally occurring in relatively dispersed geologic
12 formations, are brought to one location on the surface and pulverized
13 in the process of mining and milling uranium and thorium.

14 (2) These radioactive isotopes, in addition to creating a field of
15 gamma radiation in the vicinity of the tailings area, also exude
16 potentially hazardous radioactive gas and particulates into the
17 atmosphere from the tailings areas, and contaminate the milling
18 facilities, thereby creating hazards which will be present for many
19 generations.

1 (3) The potential hazards to the public health also exist when
2 uranium or thorium tailings are transported within or through the
3 state. Each county affected by the transportation of these tailings
4 must be able to plan for, and respond to, the hazards associated with
5 such transportation.

6 (4) The public health and welfare of the citizens demands that the
7 state assure that the public health be protected by requiring that:
8 (a) Prior to the termination of any radioactive materials license, all
9 milling facilities and associated tailings piles will be decommissioned
10 in such a manner as to bring the potential public health hazard to a
11 minimum; and (b) such environmental radiation monitoring as is
12 necessary to verify the status of decommissioned facilities will be
13 conducted.

14 NEW SECTION. Sec. 2. A new section is added to chapter 70.121 RCW
15 to read as follows:

16 (1) When tailings or waste classified as 11e(2) radioactive waste,
17 under the federal atomic energy act of 1954, is transported into or
18 through a county, the county may assess impact fees to cover the cost
19 reasonably necessary for the county to prepare for and respond to the
20 movement of such waste.

21 (2) The impact fees assessed under this section may be imposed by
22 the affected counties on the entity or entities responsible for
23 transporting the waste only after the county legislative authority
24 conducts a public hearing regarding:

25 (a) The potential transportation and safety impacts resulting from
26 the movement of waste through the county, including the need to plan
27 and prepare for possible degradation of county roads, and potential
28 accidents and spills; and

29 (b) The extent to which the state plan for authorizing the
30 transportation of such waste addresses the impacts on the affected
31 county.

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