

SENATE BILL REPORT

SB 5319

As Passed Senate, March 1, 2017

Title: An act relating to transferring authority for low-level radioactive waste management from the department of ecology to the department of health.

Brief Description: Transferring authority for low-level radioactive waste management from the department of ecology to the department of health.

Sponsors: Senators Brown and McCoy; by request of Department of Health.

Brief History:

Committee Activity: Energy, Environment & Telecommunications: 2/01/17 [DP].

Floor Activity:

Passed Senate: 3/01/17, 49-0.

Brief Summary of Bill

- Transfers cleanup authority for low-level radioactive waste management at the Hanford site from the Department of Ecology to the Department of Health.

SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TELECOMMUNICATIONS

Majority Report: Do pass.

Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Carlyle, Ranking Minority Member; Brown, Hobbs, Honeyford, Ranker and Short.

Staff: Kelsey Morfitt (786-7407)

Background: The Northwest Interstate Compact on Low-Level Radioactive Waste Management (Compact) consists of eight states: Alaska, Hawaii, Idaho, Montana, Oregon, Utah, Wyoming, and Washington. The Compact is a cooperative effort between the states to protect the health and safety of their citizens by managing the handling and transporting of low-level radioactive waste required for disposal in the region. The commercial low-level radioactive waste disposal facility is located near the center of the Hanford site on approximately 100 acres of federal land leased to the state of Washington.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Low-level radioactive waste is trash, clothing, tools, and equipment that has been contaminated by radioactive substances. The waste is usually generated by nuclear power plants, industrial users, government and military organizations, academic institutions, and medical uses.

The federal Resource Conservation and Recovery Act of 1976 (RCRA) governs hazardous and non-hazardous solid waste. the Department of Ecology (Ecology) manages hazardous waste in the state, and implements requirements of the Compact, including administering and monitoring waste volume levels, reactor waste allocations, and priority allocations.

The Department of Health (DOH) is designated as the State Radiation Control Agency and is responsible for implementing a regulatory and inspection program for ionizing radiation. DOH issues licenses for the receipt and disposal of low-level radioactive waste.

Among other responsibilities, Ecology manages leases, implements federal low-level radioactive waste standards, and performs studies to define site closure and perpetual care and maintenance requirements at the Hanford commercial low-level radioactive waste disposal facility.

In 2012, Ecology's site user permit system for generators, packagers, or brokers using the commercial low-level radioactive waste disposal site was transferred to DOH.

Summary of Bill: All management of the Hanford commercial low-level radioactive waste disposal facility is transferred from Ecology to DOH. This includes managing leases, implementing federal low-level radioactive waste standards, and performing studies to define site closure and perpetual care and maintenance requirements.

An obsolete section of the RCW, regarding the transfer of authority to DOH, is repealed.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: This bill streamlines the administrative process and completes the 2012 transfer from Ecology to DOH. The agencies have a collaborative relationship with the Yakama Nation.

OTHER: The Hanford site has tribal, cultural significance, and the Yakama Nation wants continued communication with DOH to protect tribal interests.

Persons Testifying: PRO: Senator Sharon Brown, Prime Sponsor; David Jansen, DOH; Kristin Bettridge, DOH; Denise Clifford, Ecology.

OTHER: Dawn Vyvyan, Yakama Nation.

Persons Signed In To Testify But Not Testifying: No one.