

**WAC 246-237-011 Specific exemptions.** (1) The department may, upon application of any interested person or upon its own initiative, grant such exemptions from the requirements of the rules in this chapter as it determines are authorized by law and will not endanger life or property or the common defense and security, and are otherwise in the public interest.

(2) Any licensee's activities are exempt from the requirements of WAC 246-237-021 through 246-237-057 to the extent that its activities are included in a security plan required by 10 C.F.R. Part 73.

(3) A licensee who possesses radioactive waste that contains Category 1 or Category 2 quantities of radioactive material is exempt from the requirements of WAC 246-237-021 through 246-237-081, except that any radioactive waste that contains discrete sources, ion-exchange resins, or activated material that weighs less than two thousand kg (four thousand four hundred nine pounds) is not exempt from the requirements of this chapter. The licensee shall implement the following requirements to secure the radioactive waste:

(a) Use continuous physical barriers which allow access to the radioactive waste only through established access control points;

(b) Use a locked door or gate with monitored alarm at the access control point;

(c) Assess and respond to each actual or attempted unauthorized access to determine whether an actual or attempted theft, sabotage, or diversion occurred; and

(d) Immediately notify the LLEA and request an armed response from the LLEA upon determination that there was an actual or attempted theft, sabotage, or diversion of the radioactive waste that contains Category 1 or Category 2 quantities of radioactive material.

[Statutory Authority: RCW 70.98.050 and 70.98.110. WSR 16-13-079, § 246-237-011, filed 6/14/16, effective 7/15/16.]