



STATE OF WASHINGTON
DEPARTMENT OF HEALTH

OFFICE OF RADIATION PROTECTION

111 Israel Road SE • PO Box 47827 • Olympia, Washington 98504-7827

TDD Relay Service: 1-800-833-6388

December 22, 2005

To: Public Agencies and Persons with Interest in the Amendment of Chapter 246-249 WAC,
Radioactive Waste – Use of Commercial Disposal Site

The Washington Department of Health (DOH) has postponed the effective date of amendments to Chapter 246-249 WAC, Radioactive Waste – Use of Commercial Disposal Site until August 15, 2006. The amendments to this rule will establish a disposal limit of 100,000 cubic feet per year for diffuse Naturally Occurring or Accelerator Produced Radioactive Material (NARM) at the commercial low-level radioactive waste site in Richland, Washington. Diffuse NARM is material that contains low levels of radioactivity such as pipe scale from oil production, soils from clean up of mineral processing sites, and sludge from water treatment facilities.


Previous correspondence on the NARM amendments stated the effective date of the rule had been extended to December 23, 2005 to provide the Department of Ecology (Ecology) additional time to evaluate the impacts of the Cleanup Priority Act (CPA) on the disposal of NARM at the commercial disposal site. The CPA was passed as Initiative 297 in November 2004 and is currently under review by federal district court. DOH is postponing the effective date of the rule to August 15, 2006 to provide adequate time for the court to rule and Ecology and DOH to consider the court's ruling with respect to the CPA and its impact on the proposed rule amendment.

Previous correspondence also included a Notice of Action that established a December 21, 2005, deadline for appealing the adequacy of the Final Environmental Impact Statement (FEIS) for the commercial disposal site with respect to the NARM rulemaking. That deadline no longer applies. A new deadline will be established for appealing the adequacy of the FEIS with respect to the NARM rulemaking at the appropriate time.

For more information please visit the DOH website at <http://devwww/ehp/rp/Default.htm> or contact:

Nancy Darling, Department of Health
PO Box 47827
Olympia, WA 98504-7827
(360) 236-3244
Nancy.Darling@doh.wa.gov

Sincerely,


Gary Robertson, Director
Office of Radiation Protection
Division of Environmental Health

SISP Review Complete

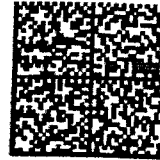



STP-006 Template
RIDS: SP08



State of Washington
DEPARTMENT OF HEALTH
Office of Radiation Protection
P.O. Box 47827
Olympia WA 98504-7827

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE

PITNEY BOWES
02 1A \$ 00.27⁸
0004600850 DEC 24 2005
MAILED FROM ZIP CODE 98501

JANET SCHLUETER DIRECTOR
OFFICE OF STATE AND TRIBAL
PROGRAMS
US NUCLEAR REGULATORY
COMMISSION
OWFN- 3C10
WASHINGTON DC 20555

JXJ15M5 20555

