



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH

OFFICE OF RADIATION PROTECTION

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

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October 16, 2006

TO: Radioactive Materials Licensees with Decommissioning  
Funding Plans, and Interested Parties

FROM: *AS* Arden C. Scroggs, Radioactive Materials Supervisor

SUBJECT: PROPOSED RULE CHANGE & HEARING

We are proposing to update our regulations to meet the current U.S. Nuclear Regulatory Commission standards regarding decommissioning funding plans. The changes are summarized on the back of this page and the complete proposal can be viewed in its entirety at the Department of Health's website at <http://www3.doh.wa.gov/policyreview/>.

A public hearing will be held on Thursday, November 28, 2006, at 10:00 AM in the Department of Health Town Center 2 Building, Room 145, 111 Israel Road SE, Tumwater, WA (Exit 101 from I-5, go 1 mile east on Tumwater Boulevard, turn left on Capital Boulevard, right on Israel Road, and into the parking lot on the right). You may attend in person or send your written comments to Anine Grumbles at PO Box 47827, Olympia, WA 98504-7827, FAX to 360-236-2255, or send your e-mail to [anine.grumbles@doh.wa.gov](mailto:anine.grumbles@doh.wa.gov). Comments must be received by November 28, 2006, to assure consideration.

If you wish to receive a hard-copy of the proposed rule revision, please call Nancy Burgin at 360-236-3220 or e-mail [nancy.burgin@doh.wa.gov](mailto:nancy.burgin@doh.wa.gov).

*SANSI Review Complete*



*STP-006 Template*  
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## PROPOSED RULE CHANGE

WAC 246-235-075 (2)(c) — A ~~((schedule))~~ means for adjusting cost estimates and associated funding levels periodically over the life of the facility or facilities.

This change would offer more flexibility to the licensee's plan.

WAC 246-235-075 (5)(a) ~~((The department shall review each decommissioning funding plan prior to license issuance and prior to license renewal.))~~ The applicant or licensee shall submit to the department an initial decommissioning funding plan prior to license issuance and shall submit an updated plan at intervals not to exceed three years.

(b) The applicant or licensee shall incorporate department comments into the decommissioning funding plan including its cost estimate and shall revise its financial surety accordingly.

(c) Applicants shall obtain the appropriate financial assurance as approved by the department prior to receipt of licensed material. The department may issue a new license if the applicant agrees to comply with the decommissioning funding plan as approved. If the applicant defers execution of the financial instrument until after the license has been issued, a signed original of the financial instrument obtained to satisfy the requirements of this section shall be submitted to the department before receipt of licensed material.

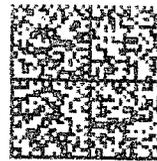
(d) ~~((Holders of licenses issued on or before the effective date of this rule shall submit a decommissioning funding plan to the department by April 1, 1993.))~~ Licensees shall implement the financial assurance requirements within thirty days of receiving department approval of the initial or updated decommissioning funding plan.

These changes increase the frequency for updating decommissioning funding plan and cost estimate from 5 years to 3 years to keep pace with rising costs. It also removes outdated verbiage.



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