AMENDATORY SECTION (Amending WSR 24-21-092, filed 10/17/24, effective 11/17/24)

**WAC 246-254-120** **Fees for licensing and compliance actions.** (1) In addition to the fee for each radioactive material license as described under WAC 246-254-070, 246-254-080, 246-254-090, and 246-254-100, a licensee shall pay a service fee for each additional licensing and compliance action as follows:

(a) For a second follow-up inspection, and each follow-up inspection thereafter, a fee of ((~~$248~~)) $295 per hour of direct staff time associated with the follow-up inspection, not to exceed ((~~$2,480~~)) $2,950 per follow-up inspection. Hours are calculated in half-hour increments.

(b) For each environmental cleanup monitoring visit, a fee of ((~~$248~~)) $295 per hour of direct staff time associated with the environmental cleanup monitoring visit, not to exceed ((~~$6,226~~)) $7,375 per visit. Hours are calculated in half-hour increments.

(c) For each new license application, the fee of ((~~$398~~)) $474 in addition to the required annual fee.

(d) For each sealed source and device evaluation, a fee of ((~~$248~~)) $295 per hour of direct staff time associated with each sealed source and device evaluation, not to exceed ((~~$7,471~~)) $9,135 per evaluation.

(e) For review of air emission and environmental programs and data collection and analysis of samples, and review of decommissioning activities by qualified staff in those work units, a fee of ((~~$248~~)) $295 per hour of direct staff time associated with the review. The fee does not apply to reviews conducted by the radioactive materials section staff and does not apply unless the review time would result in a special service charge exceeding 10 percent of the licensee's annual fee.

(f) For expedited licensing review, a fee of ((~~$248~~)) $295 per hour of direct staff time associated with the review. This fee only applies when, by the mutual consent of licensee and affected staff, a licensing request is taken out of date order and processed by staff during nonwork hours and for which staff is paid overtime.

(2) The licensee or applicant shall pay any additional service fees at the time of application for a new license or within 30 days of the date of the billing for all other licensing and compliance actions.

(3) The department shall process an application only upon receipt of the new application fee and the annual fee.

(4) The department may take action to modify, suspend, or terminate the license or sealed source and device registration if the licensee fails to pay the fee for additional licensing and compliance actions billed by the department.

[Statutory Authority: RCW 43.70.110, 43.70.250, and 70A.388.050. WSR 24-21-092, s 246-254-120, filed 10/17/24, effective 11/17/24. Statutory Authority: RCW 70.98.080, 43.20B.020, 43.70.110, and 43.70.250. WSR 17-01-084, § 246-254-120, filed 12/16/16, effective 1/16/17; WSR 08-14-075, § 246-254-120, filed 6/26/08, effective 7/27/08; WSR 05-24-109, § 246-254-120, filed 12/7/05, effective 1/7/06. Statutory Authority: RCW 43.70.250. WSR 04-12-124, § 246-254-120, filed 6/2/04, effective 7/3/04. Statutory Authority: RCW 43.70.250, 43.270.040, and 2001 2nd sp.s. c 7 § 220. WSR 02-04-025, § 246-254-120, filed 1/24/02, effective 2/24/02. Statutory Authority: RCW 70.98.080. WSR 01-14-046, § 246-254-120, filed 6/29/01, effective 7/30/01. Statutory Authority: RCW 43.70.110, 43.70.250 and chapter 70.98 RCW. WSR 95-12-004, § 246-254-120, filed 5/25/95, effective 6/25/95; WSR 94-11-011, § 246-254-120, filed 5/5/94, effective 6/5/94; WSR 93-13-019 (Order 372), § 246-254-120, filed 6/8/93, effective 7/9/93. Statutory Authority: RCW 43.70.110. WSR 91-22-027 (Order 208), § 246-254-120, filed 10/29/91, effective 11/29/91. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-254-120, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.98.080. WSR 87-01-031 (Order 2450), § 402-70-070, filed 12/11/86; WSR 79-12-073 (Order 1459), § 402-70-070, filed 11/30/79, effective 1/1/80.]

AMENDATORY SECTION (Amending WSR 91-22-027, filed 10/29/91, effective 11/29/91)

**WAC 246-254-140** **Fees for uranium, thorium and other mineral processors.** (1) Persons licensed or authorized to receive, possess, or use natural uranium and its decay daughters for the extraction of uranium or thorium compounds or for the reclamation and disposal of the associated tailings or waste shall pay:

(a) Initial application fee of ((~~thirty-five thousand dollars~~)) $170,100; and

(b) Quarterly billings for actual costs to the department.

(2) The department shall bill the uranium or thorium milling licensee quarterly for the department's actual cost of:

(a) Reviewing and issuing a license in excess of the initial application fee;

(b) Determining the licensee's compliance with terms and conditions of the license;

(c) Reviewing license amendment requests;

(d) Maintaining a uranium mill program which is compatible with the requirements of the United States Nuclear Regulatory Commission;

(e) Determining and assuring compliance with chapter 173-11 WAC; and

(f) Reviewing and processing an application for renewal.

(3) The department shall delineate in the quarterly billing the staff, laboratory, and support service costs.

(4) The department:

(a) Shall process any initial application only upon receipt of the full fee specified; and

(b) May return an application to an applicant if no payment is received.

(5) The department shall credit the initial application fee to the applicants' quarterly billing.

(6) Mineral processors requiring licenses for naturally occurring radioactive material in excess of exempt concentrations shall pay:

(a) Initial application fee of ((~~twenty-seven thousand dollars~~)) $131,220; and

(b) Quarterly billings not to exceed ((~~forty thousand dollars~~)) $194,400.

(7) The department shall bill mineral processor licensees quarterly for the department's actual cost of:

(a) Processing and issuing a license in excess of the initial application fee;

(b) Determining the licensee's compliance with terms and conditions of the license;

(c) Reviewing and processing amendment and renewal requests; and

(d) Determining and assuring compliance with chapter 173-11 WAC.

[Statutory Authority: RCW 43.70.110. WSR 91-22-027 (Order 208), § 246-254-140, filed 10/29/91, effective 11/29/91.]

AMENDATORY SECTION (Amending WSR 00-08-013, filed 3/24/00, effective 4/24/00)

**WAC 246-254-150** **Fees for perpetual care and maintenance.** (1) Persons with licenses specifically authorizing the receipt, possession, or use of natural uranium and its decay daughters for the extraction of uranium or thorium compounds or for the reclamation and disposal of the associated tailings or waste shall:

(a) Make quarterly payments of ((~~twenty cents~~)) $0.97 per kilogram of uranium or thorium compound milled out of the raw ore;

(b) Remit this payment within ((~~thirty~~)) 30 days after the end of each calendar quarter; and

(c) Pay to the department a minimum of ((~~two hundred fifty thousand dollars (1978 dollars)~~)) $1,215,000 to cover the costs of long-term surveillance prior to the termination of a uranium or thorium mill license.

(2) Licensees under this section may make additional payments to meet the minimum, prior to the release of any surety arranged by the licensee in accordance with WAC 246-235-086(4).

[Statutory Authority: RCW 70.98.050. WSR 00-08-013, § 246-254-150, filed 3/24/00, effective 4/24/00. Statutory Authority: RCW 43.70.110. WSR 91-22-027 (Order 208), § 246-254-150, filed 10/29/91, effective 11/29/91. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-254-150, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 70.98.080. WSR 87-01-031 (Order 2450), § 402-70-080, filed 12/11/86.]