

**Concise Explanatory Statement for
Radiation Protection – Air Emissions, WAC 246-247-030, Definitions
Public Comments and Department of Health’s Response**

Comment	Department of Health’s Response
<p>Comment 1: (reference the last sentence in the proposed change: “The license will be ...air operating permit.”) In the last sentence of the proposed definition replace the word “applicable” with the word “enforceable”, so this sentence reads: “The license will be incorporated as an applicable <u>enforceable</u> requirement in the air operating permit issued by the department of ecology or a local air pollution control authority when the department of ecology or a local air pollution control authority issues an air operating permit.”</p>	<p>Response to comment 1: No change. The purpose of this last sentence is to notify licensees that Department of Ecology or the local air pollution control authority will incorporate the license as an applicable requirement in the Air Operating Permit when it issues an Air Operating Permit. See also response to comment #2.</p>
<p>Comment 2: (reference the last sentence in the proposed change: “The license will be...air operating permit.”) The last sentence (“The license will be . . . air operating permit.”) should be deleted because this sentence merely confirms actions required by Ecology and the local air pollution control authorities under their existing regulations. Additionally, deleting the entire sentence does not diminish Health’s authority to regulate radionuclide air emissions or Health’s rulemaking authority under RCW 70.98.</p>	<p>Response to comment 2: No change. While the last sentence does only confirm actions required by the Department of Ecology and the local air pollution control authorities, it also provides valuable information about how the Air Operating Permit process works and clarifies it is not the Department of Health’s responsibility to incorporate the radioactive air emissions license into the facilities’ Air Operating Permits.</p>