



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Department of Health

- Preproposal Statement of Inquiry was filed as WSR ; or
- Expedited Rule Making--Proposed notice was filed as WSR ; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

**Title of rule and other identifying information:** (Describe Subject)

Radiation Protection - Air Emissions, WAC 246-247-030 Definitions. The Department of Health is proposing to amend the definition of "license" in response to a petition for rule making.

**Hearing location(s):** Department of Health  
Town Center Two, Room 145  
111 Israel Road SE  
Tumwater WA 98501

Date: 1/22/2014

Time: 2:00 p.m.

**Submit written comments to:**

Name: Michelle K Austin  
Address: PO Box 47827  
Olympia, WA 98504-7827  
e-mail: <http://www3.doh.wa.gov/policyreview/>  
fax 360-236-2266 by (date) 01/22/2014

**Assistance for persons with disabilities:** Contact

Michelle K Austin by 01/15/2014

TTY (800) 833-6388 or () 711

**Date of intended adoption:** 01/29/2014

(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

For the purpose of clarity, the Department of Health is proposing to revise the definition of "license" to accurately reflect the Department of Health actions and to clarify related actions by the Department of Ecology and the local air pollution control authorities.

**Reasons supporting proposal:**

The current definition of license describes it as either issued by the Department of Health or incorporated by the Department of Health as an applicable portion of the air operating permit. While the radioactive air emissions license is always issued by the Department of Health, incorporation of the license into the air operating permit is done by the Department of Ecology or the local air pollution control authorities under their authority.

**Statutory authority for adoption:**

RCW 70.98.050 and 70.98.080

**Statute being implemented:**

RCW 70.98.050 and 70.98.080

**Is rule necessary because of a:**

- Federal Law?  Yes  No
  - Federal Court Decision?  Yes  No
  - State Court Decision?  Yes  No
- If yes, CITATION:

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: December 04, 2013**

**TIME: 3:21 PM**

**WSR 14-01-007**

**DATE**

12/04/2013

**NAME** (type or print)

Jessica Todorovich for John Wiesman, DrPH, MPH

**SIGNATURE**

for John Wiesman, DrPH, MPH

**TITLE**

Deputy Secretary for Secretary of Health

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

None

**Name of proponent:** (person or organization) Department of Health

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... John Martell	309 Bradley Blvd, Suite 201, Richland, WA 98352	509-946-3798
Implementation....John Martell	309 Bradley Blvd, Suite 201, Richland, WA 98352	509-946-3798
Enforcement.....John Martell	309 Bradley Blvd, Suite 201, Richland, WA 98352	509-946-3798

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No. Explain why no statement was prepared.

A small business economic impact statement (SBEIS) was not prepared. Under RCW 19.85.025 and 34.05.310(4)(d), a SBEIS is not required for proposed rules that only correct typographical errors, make address or name changes, or clarify the language of a rule without changing its effect.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No: Please explain:

The agency did not complete a cost benefit analysis under RCW 34.05.328. RCW 34.05.328(5)(b)(iv) exempts rules that only correct typographical errors, make address or name changes or clarify the language of a rule without change its effect.