



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017) (Implements RCW 34.05.310)

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DATE: January 23, 2024

TIME: 2:58 PM

WSR 24-03-145

**Agency:** Department of Health

**Subject of possible rule making:** Amending radioactive materials licenses and fee. The Department of Health (department) is considering amending radioactive material licenses and licensees fees to cover operating costs for the following:

- WAC 246-254-030, Small business discount provision and optional fee payment schedule applicable to radioactive materials licensees;
- WAC 246-254-070 Fees for specialized radioactive material licenses;
- WAC 246-254-080 Fees for medical and veterinary radioactive material use;
- WAC 246-254-090 Fees for industrial radioactive material licenses;
- WAC 246-254-100 Fees for laboratory radioactive material licenses; and
- WAC 246-254-120 Fees for licensing and compliance actions.

The department will consider updating or restructuring existing fees or creating new fees.

**Statutes authorizing the agency to adopt rules on this subject:**

RCW 43.70.110, 43.70.250, and 70A.388.050.

**Reasons why rules on this subject may be needed and what they might accomplish:**

The department is required to charge a fee for each operating license issued to radioactive material license holders regulated by the department. The fees must cover the cost of administering a license and enforcing the program. The department completed an initial assessment of the radioactive materials program and determined the fees are not generating sufficient revenue to cover the costs of the program. The program is also reviewing radioactive materials classifications and will consider updating or restructuring existing fees and will consider new fees for radioactive materials licenses.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** None

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

Name: Peter Beaton

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(If necessary)

Name: Earl Fordham

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Other:

**Additional comments:** The department will use a collaborative rule making approach by keeping interested parties informed of the rule development through email and posting information on the department's rulemaking websites. Interested parties will have the opportunity to provide comments throughout the rulemaking process and at the public hearing. Please contact Peter Beaton or Earl Fordham to be added to the interested parties list to receive rulemaking notices.

**Date:** January 23, 2024

**Name:** Kristin Peterson, JD for Umair A. Shah, MD, MPH

**Title:** Chief of Policy for Secretary of Health

**Signature:**

