

LB# 3691



AIR 13-801  
NOC 894-897

STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
OFFICE OF RADIATION PROTECTION  
309 Bradley Blvd., Suite 201 • Richland, Washington 99352  
TDD Relay Service: 1-800-833-6388

August 1, 2013

**CERTIFIED MAIL**

7008 1300 0001 5989 9734

Mr. Kevin W. Smith, Manager  
United States Department of Energy  
Office of River Protection  
P.O. Box 450, MSIN: H6-60  
Richland, Washington 99352

Dear Mr. Smith:

Pursuant to Chapter 246-247 of the Washington Administrative Code (WAC), your revised application will be approved according to the enclosed Licenses for:

**Operation of Breather Filter on 241-UX-302A (Replaced NOC 865)  
(NOC 895, EU 894)**

**Operation of Breather Filter on 241-U-301B (Replaced NOC 865)  
(NOC 897, EU 1129)**

**Operation of Breather Filter on 241-AZ-154 (Replaced NOC 865)  
(NOC 896, EU 1130)**

**Operation of Breather Filter on 240-S-302 (Replaced NOC 865)  
(NOC 894, EU 1232)**

The Washington State Department of Health (DOH) considers the conditions, controls, monitoring requirements, and limitations of the Licenses integral to approval of your application. NOC 894 (EU 1232) contains an alternative approval of release fractions that does not reflect conditions during pumping of waste contents; therefore, "Under passive ventilation any pumping of waste contents for 240-S-302 shall require a post job Non Destructive Analysis (NDA) of the filter to validate previous NDA results, with results reported to WDOH."

This approval shall take effect, and a final approval letter issued, twenty-eight (28) days after you receive it unless you apply for an adjudicative proceeding, as described below.



Mr. Kevin W. Smith

August 1, 2013

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AIR 13-801

If you accept the conditions and limitations of this approval and do not wish to apply for an adjudicative proceeding, but wish to proceed under this approval before the 28 days have elapsed, please notify us in writing and the DOH will issue the final approval letter. Your notice should be mailed or faxed to:

DOH – Office of Radiation Protection  
Radioactive Air Emissions Section  
309 Bradley Blvd., Suite 201  
Richland, Washington 99352  
FAX: (509) 946-0876

If there are concerns with the conditions and limitations of the approval, please notify the DOH. If attempts to resolve the concerns fail, the DOH will deny your application and you may contest the conditions and limitations of this approval, within 28 days of receipt, by filing the enclosed Request for Adjudicative Proceeding or a document providing substantially the same information with the DOH, Adjudicative Service Unit (ASU), in a manner that shows proof of service on the ASU. The ASU's address is:

DOH - Adjudicative Service Unit  
310 Israel Road SE  
P.O. Box 47879  
Olympia, Washington 98504-7879

You must include a copy of this approval with your application. FILING SHALL NOT BE DEEMED COMPLETE UNTIL THE ADJUDICATIVE SERVICE UNIT ACTUALLY RECEIVES YOUR APPLICATION.

If you have any questions regarding this draft approval, please contact Ernest McCormick at (509) 946-0624.

Sincerely,



John Martell, Manager  
Radioactive Air Emissions Section

Enclosures: (1) Conditions and Limitations for NOC 894 (EU 1232), 895 (EU 894), 896 (EU 1130), and 897 (EU 1129)  
(2) Request for Adjudicative Proceeding

cc: (see next page)

cc: Robert Anderson, MSA  
Matthew Barnett, PNNL  
Tom Beam, MSA  
Lee Bostic, BNI  
Dennis Bowser, USDOE-ORP  
Cliff Clark, USDOE-RL  
Jack Donnelly, WRPS  
Richard Engelmann, CHPRC  
Dennis Faulk, EPA  
Phil Gent, Ecology  
Robert Haggard, BNI  
Dale Jackson, USDOE-RL  
Steven Killooy, WRPS  
Ernest McCormick, WDOH  
Felix Miera, WRPS  
Valarie Peery, Ecology  
Michael Peloquin, WRPS  
Lucinda Penn, WRPS  
Crystal Rau, Ecology  
John Schmidt WDOH  
Maria Skorska, Ecology  
Jeff Voogd, WRPS  
Davis Zhen, EPA  
Environmental Portal  
RAES Tracking: Line 561; Resp. to IM# 7,471; NOC 894, 895, 896, & 897; EU 894,  
1129, 1130, & 1232

Emission Unit ID: 894

200W P-241UX302A-001

241-UX-302A

This is a MINOR, PASSIVELY ventilated emission unit.

241-U TANK FARM

**Emission Unit Information**

Stack Height: 5.00 ft. 1.52 m. Stack Diameter 1.13 ft. 0.34 m.

Average Stack Effluent Temperature: 55 degrees Fahrenheit. 13 degrees Celsius.

Average Stack Exhaust Velocity: 0.25 ft/second. 0.08 m/second.

**Abatement Technology** BARCT WAC 246-247-040(3), 040(4)

state only enforceable: WAC 246-247-010(4), 040(5), 060(5)

Zone or Area	Abatement Technology	Required # of Units	Additional Description
	HEPA	1	Passive Breather Filter

**Monitoring Requirements**

state enforceable: WAC 246-247-040(5), 060(5), and federally enforceable: 40 CFR 61 subpart H

Federal and State Regulatory	Monitoring and Testing Requirements	Radionuclides Requiring Measurement	Sampling Frequency
40 CFR 61.93(b)(4)(i) & WAC 246-247-075(3)	40 CFR 61, Appendix B Method 114	Levels below 10,000 dpm/100cm <sup>2</sup> beta/gamma and 200 dpm/100cm <sup>2</sup> alpha will verify low emissions.	Every 365 days

**Sampling Requirements** Smear survey on the inside surface of the ducting and downstream of the HEPA filter or on the outside of the screen covering the outlet of the vent.

**Additional Requirements**

Radial breather filters shall be replaced every 365 days.

Additional monitoring or sampling requirements established by this License will be listed in the Conditions and Limitations section, if applicable.

**Operational Status** The breather filter shall minimize the amount of radioactive particles emitted as a consequence of tank breathing due to barometric pressure changes. The emission unit is a passive breather filter ventilation that operates continuously. The 241-UX-302A catch tank is a 17,600 gallon capacity catch tank which has been isolated.

**This Emission Unit has 1 active Notice(s) of Construction.**

Project Title	Approval #	Date Approved	NOC_ID
Operation of Breather Filter on 241-UX-302A (Replaced NOC 865)		Not Approved	895

**Conditions (state only enforceable: WAC 246-247-040(5), 060(5) if not specified)**

- 1) The total abated emission limit for this Notice of Construction is limited to 1.00E-05 mrem/year to the Maximally Exposed Individual (WAC 246-247-040(5)). The total limit on the Potential-To-Emit for this Notice of Construction is limited to 1.00E-03 mrem/year to the Maximally Exposed Individual (WAC 246-247-030(21)).
- 2) This approval applies only to those activities described below. No additional activities or variations on the approved activities that constitute a "modification" to the emission unit, as defined in WAC 246-247-030(16), may be conducted.

The 241-UX-302A catch tank is a 17,760 gallon capacity catch tank located near U Plant. The tank has a breather filter installed whose purpose is to minimize any radioactive particulates that may be emitted as a consequence of barometric pressure changes.

Currently, there is currently less than 1,000 gallons of waste stored in the tank. Current operational activities in this tank include level monitoring for leaks and intrusion by a variety of methods including dip tubes, manual tapes, zip cords, and ENRAFs; sampling tank contents, pumping tank contents, adding flush water used pursuant to ALARACT practices.

- 3) **The Annual Possession Quantity is limited to the following radionuclides (Curies/year):**

Alpha - 0  
Based on 241Am

1.99E-11

Beta - 0  
Based on 90Sr

1.32E-08

Gamma - 0  
Based on 137Cs

1.27E-08

4) ALTERNATE APPROVAL-Annual Replacement

The breather filter must be replaced annually. The new filter must be a Type 1 (radial flow filter) with a Type C filter pack, as define by AG-1 Code on Nuclear Air and Gas Treatment Section FK, Special HEPA Filters. The filter must have a minimum removal efficiency of 99.97% and a rated flow of 40 cfm. (WAC 246-247-040(5) and WAC 246-247-075(4)).

Emission Unit ID: 1129

**200W P-241U301B-001**

**241-U-301B**

This is a MINOR, PASSIVELY ventilated emission unit.

241-U TANK FARM

**Emission Unit Information**

Stack Height: 5.00 ft. 1.52 m. Stack Diameter 1.13 ft. 0.34 m.

Average Stack Effluent Temperature: 55 degrees Fahrenheit. 13 degrees Celsius.

Average Stack Exhaust Velocity: 0.25 ft/second. 0.08 m/second.

**Abatement Technology** BARCT WAC 246-247-040(3), 040(4)

state only enforceable: WAC 246-247-010(4), 040(5), 060(5)

Zone or Area	Abatement Technology	Required # of Units	Additional Description
	HEPA	1	Passive Breather Filter

**Monitoring Requirements**

state enforceable: WAC 246-247-040(5), 060(5), and federally enforceable: 40 CFR 61 subpart H

Federal and State Regulatory	Monitoring and Testing Requirements	Radionuclides Requiring Measurement	Sampling Frequency
40 CFR 61.93(b)(4)(i) & WAC 246-247-075(3)	40 CFR 61, Appendix B Method 114	Levels below 10,000 dpm/100cm <sup>2</sup> beta/gamma and 200 dpm/100cm <sup>2</sup> alpha will verify low emissions.	Every 365 days

**Sampling Requirements** Smear survey on the inside surface of the ducting and downstream of the HEPA filter or on the outside of the screen covering the outlet of the vent.

**Additional Requirements**

Radial breather filters shall be replaced every 365 days.

Additional monitoring or sampling requirements established by this License will be listed in the Conditions and Limitations section, if applicable.

**Operational Status** The breather filter shall minimize the amount of radioactive particles emitted as a consequence of tank breathing due to barometric pressure changes. The emission unit is a passive breather filter ventilation that operates continuously. The 241-U-301B catch tank is a 36,000 gallon capacity catch tank designed to support waste transfers from 244-TX via 241-U-151 and 241-U-152.

**This Emission Unit has 1 active Notice(s) of Construction.**

Project Title	Approval #	Date Approved	NOC_ID
Operation of Breather Filter on 241-U-301B (Replaced NOC 865)		Not Approved	897

**Conditions (state only enforceable: WAC 246-247-040(5), 060(5) if not specified)**

- 1) The total abated emission limit for this Notice of Construction is limited to 1.00E-05 mrem/year to the Maximally Exposed Individual (WAC 246-247-040(5)). The total limit on the Potential-To-Emit for this Notice of Construction is limited to 1.00E-03 mrem/year to the Maximally Exposed Individual (WAC 246-247-030(21)).
- 2) This approval applies only to those activities described below. No additional activities or variations on the approved activities that constitute a "modification" to the emission unit, as defined in WAC 246-247-030(16), may be conducted.

The 241-U-301B catch tank is a 36,430 gallon capacity catch tank located near U Plant. The tank has a breather filter installed whose purpose is to minimize any radioactive particulates that may be emitted as a consequence of barometric pressure changes.

Currently, there is currently less than 2,000 gallons of waste stored in the tank. Current operational activities in this tank include level monitoring for leaks and intrusion by a variety of methods including dip tubes, manual tapes, zip cords, and ENRAFs; sampling tank contents, pumping tank contents, adding flush water used pursuant to ALARACT practices.

3) **The Annual Possession Quantity is limited to the following radionuclides (Curies/year):**

Am - 241	1.11E-09	Pu - 239/240	1.39E-09	Sr - 90	3.33E-09
U - 234	3.28E-10	U - 235	1.28E-10	Zn - 65	7.77E-08

4) **ALTERNATE APPROVAL-Annual Replacement**

The breather filter must be replaced annually. The new filter must be a Type 1 (radial flow filter) with a Type C filter pack, as define by AG-1 Code on Nuclear Air and Gas Treatment Section FK, Special HEPA Filters. The filter must have a minimum removal efficiency of 99.97% and a rated flow of 40 cfm. (WAC 246-247-040(5) and WAC 246-247-075(4)).

Emission Unit ID: 1130

**200E P-241AZ154-001**

**241-AZ-154**

This is a MINOR, PASSIVELY ventilated emission unit.

241-AZ TANK FARM

**Emission Unit Information**

Stack Height: 5.00 ft. 1.52 m. Stack Diameter 1.13 ft. 0.34 m.

Average Stack Effluent Temperature: 55 degrees Fahrenheit. 13 degrees Celsius.

Average Stack Exhaust Velocity: 0.25 ft/second. 0.08 m/second.

**Abatement Technology** BARCT WAC 246-247-040(3), 040(4)

state only enforceable: WAC 246-247-010(4), 040(5), 060(5)

Zone or Area	Abatement Technology	Required # of Units	Additional Description
	HEPA	1	Passive Breather Filter

**Monitoring Requirements**

state enforceable: WAC 246-247-040(5), 060(5), and federally enforceable: 40 CFR 61 subpart H

Federal and State Regulatory	Monitoring and Testing Requirements	Radionuclides Requiring Measurement	Sampling Frequency
40 CFR 61.93(b)(4)(i) & WAC 246-247-075(3)	40 CFR 61, Appendix B Method 114	Levels below 10,000 dpm/100cm2 beta/gamma and 200 dpm/100cm2 alpha will verify low emissions.	Every 365 days

**Sampling Requirements** Smear survey on the inside surface of the ducting and downstream of the HEPA filter or on the outside of the screen covering the outlet of the vent.

**Additional Requirements**

Radial breather filters shall be replaced every 365 days.

Additional monitoring or sampling requirements established by this License will be listed in the Conditions and Limitations section, if applicable.

**Operational Status** This emission unit is a passive breather filter that allows the catch tank to vent to the atmosphere under tank farm storage, maintenance and operations. Any activity other than waste transfer support, maintenance, and normal operations will be regulated and/or permitted under the appropriate regulations and/or permits for the activity being performed and the emission units associated with the activity. The emission unit is a passive breather filter that operated continuously.

**This Emission Unit has 1 active Notice(s) of Construction.**

Project Title	Approval #	Date Approved	NOC_ID
Operation of Breather Filter on 241-AZ-154 (Replaced NOC 865)		Not Approved	896

**Conditions (state only enforceable: WAC 246-247-040(5), 060(5) if not specified)**

- 1) The total abated emission limit for this Notice of Construction is limited to 1.00E-05 mrem/year to the Maximally Exposed Individual (WAC 246-247-040(5)). The total limit on the Potential-To-Emit for this Notice of Construction is limited to 1.00E-03 mrem/year to the Maximally Exposed Individual (WAC 246-247-030(21)).
- 2) This approval applies only to those activities described below. No additional activities or variations on the approved activities that constitute a "modification" to the emission unit, as defined in(WAC 246-247-030(16), may be conducted.

The 241-AZ-154 catch tank is an 867 gallon capacity catch tank located in AZ Farm. The tank has a breather filter installed whose purpose is to minimize any radioactive particulates that may be emitted as a consequence of barometric pressure changes.

There is currently less than 100 gallons of waste stored in the tank. Current operational activities in this tank include level monitoring for leaks and intrusion by a variety of methods including dip tubes, manual tapes, zip cords, and ENRAFs; sampling tank contents, pumping tank contents, adding flush water used pursuant to ALARACT practices.



3) **The Annual Possession Quantity is limited to the following radionuclides (Curies/year):**

Alpha - 0	1.99E-11	Beta - 0	1.32E-08	Gamma - 0	1.27E-08
Based on 241Am		Based on 90Sr		Based on 137Cs	

4) **ALTERNATE APPROVAL-Annual Replacement**

The breather filter must be replaced annually. The new filter must be a Type 1 (radial flow filter) with a Type C filter pack, as define by AG-1 Code on Nuclear Air and Gas Treatment Section FK, Special HEPA Filters. The filter must have a minimum removal efficiency of 99.97% and a rated flow of 40 cfm. (WAC 246-247-040(5) and WAC 246-247-075(4)).

Emission Unit ID: 1232

200W P-241S302-001

240-S-302

This is a MINOR, PASSIVELY ventilated emission unit.

241-S TANK FARM

**Emission Unit Information**

Stack Height: 5.00 ft. 1.52 m. Stack Diameter 0.13 ft. 0.04 m.

Average Stack Effluent Temperature: 55 degrees Fahrenheit. 13 degrees Celsius.

Average Stack Exhaust Velocity: 0.25 ft/second. 0.08 m/second.

**Abatement Technology** BARCT WAC 246-247-040(3), 040(4)

state only enforceable: WAC 246-247-010(4), 040(5), 060(5)

Zone or Area	Abatement Technology	Required # of Units	Additional Description
	HEPA		Passive Breather Filter

**Monitoring Requirements**

state enforceable: WAC 246-247-040(5), 060(5), and federally enforceable: 40 CFR 61 subpart H

Federal and State Regulatory	Monitoring and Testing Requirements	Radionuclides Requiring Measurement	Sampling Frequency
40 CFR 61.93(b)(4)(i) & WAC 246-247-075(3)	40 CFR 61, Appendix B Method 114	Levels below 10,000 dpm/100cm2 beta/gamma and 200 dpm/100cm2 alpha will verify low emissions.	Once per month.

**Sampling Requirements** Smear survey on the inside surface of the ducting and downstream of the HEPA filter or on the outside of the screen covering the outlet of the vent.

**Additional Requirements**

Radial breather filters shall be replaced every 365 days.

Additional monitoring or sampling requirements established by this License will be listed in the Conditions and Limitations section, if applicable.

**Operational Status** The breather filter shall minimize the amount of radioactive particles emitted as a consequence of tank breathing due to barometric pressure changes. The emission unit is a passive breather filter ventilation that operates continuously. The 241-S-302 catch tank is a 17,700 gallon capacity catch tank designed to receive leakage, spills, line flushes and drainage associated with waste transfers through Diversion Box 241-S-151. Since isolation in 1987 the tank has received intrusion of snow melt and rainwater to its present level. A request for nomenclature change was submitted from WRPS 12-ECD-0060 on November 26, 2012, and received as IM 7471. The previous nomenclature was 241-S-302

**This Emission Unit has 1 active Notice(s) of Construction.**

Project Title	Approval #	Date Approved	NOC_ID
Operation of Breather Filter on 240-S-302 (Replaced NOC 865)		Not Approved	894

**Conditions (state only enforceable: WAC 246-247-040(5), 060(5) if not specified)**

- 1) The total abated emission limit for this Notice of Construction is limited to 1.00E-05 mrem/year to the Maximally Exposed Individual (WAC 246-247-040(5)). The total limit on the Potential-To-Emit for this Notice of Construction is limited to 1.00E-03 mrem/year to the Maximally Exposed Individual (WAC 246-247-030(21)).
- 2) This approval applies only to those activities described below. No additional activities or variations on the approved activities that constitute a "modification" to the emission unit, as defined in WAC 246-247-030(16), may be conducted.

The 241-S-302 catch tank is a 17,670 gallon capacity catch tank located near S Plant. The tank has a breather filter installed whose purpose is to minimize any radioactive particulates that may be emitted as a consequence of barometric pressure changes.

Currently, there is currently less than 2,000 gallons of waste stored in the tank. Current operational activities in this tank include level monitoring for leaks and intrusion by a variety of methods including dip tubes, manual tapes, zip cords, and ENRAFs; sampling tank contents, pumping tank contents, adding flush water used pursuant

to ALARACT practices.

3) **The Annual Possession Quantity is limited to the following radionuclides (Curies/year):**

<p><b>Am - 241</b> Contributes less than 0.1 mrem/yr to the MEI, and represents less than 10% of the unabated PTE and represents less than 25% of the abated dose.</p>	<p><b>Ce - 144</b> Contributes less than 0.1 mrem/yr to the MEI, and represents less than 10% of the unabated PTE and represents less than 25% of the abated dose.</p>	<p><b>Cm - 243</b> Contributes less than 0.1 mrem/yr to the MEI, and represents less than 10% of the unabated PTE and represents less than 25% of the abated dose.</p>
<p><b>Co - 60</b> Contributes less than 0.1 mrem/yr to the MEI, and represents less than 10% of the unabated PTE and represents less than 25% of the abated dose.</p>	<p><b>Cs - 134</b> Contributes less than 0.1 mrem/yr to the MEI, and represents less than 10% of the unabated PTE and represents less than 25% of the abated dose.</p>	<p><b>Cs - 137</b> Contributes less than 0.1 mrem/yr to the MEI, and represents less than 10% of the unabated PTE and represents less than 25% of the abated dose.</p>
<p><b>Eu - 152</b> Contributes less than 0.1 mrem/yr to the MEI, and represents less than 10% of the unabated PTE and represents less than 25% of the abated dose.</p>	<p><b>Eu - 154</b> Contributes less than 0.1 mrem/yr to the MEI, and represents less than 10% of the unabated PTE and represents less than 25% of the abated dose.</p>	<p><b>Eu - 155</b> Contributes less than 0.1 mrem/yr to the MEI, and represents less than 10% of the unabated PTE and represents less than 25% of the abated dose.</p>
<p><b>Nb - 94</b> Contributes less than 0.1 mrem/yr to the MEI, and represents less than 10% of the unabated PTE and represents less than 25% of the abated dose.</p>	<p><b>Pu - 239/240</b>                      3.05E+00 Identified as contributing greater than 10% of the potential TEDE to the MEI, or greater than 25% of the TEDE to the MEI after controls.</p>	<p><b>Ra - 226</b> Contributes less than 0.1 mrem/yr to the MEI, and represents less than 10% of the unabated PTE and represents less than 25% of the abated dose.</p>
<p><b>RuRh - 106</b> Contributes less than 0.1 mrem/yr to the MEI, and represents less than 10% of the unabated PTE and represents less than 25% of the abated dose.</p>	<p><b>Sb - 125</b> Contributes less than 0.1 mrem/yr to the MEI, and represents less than 10% of the unabated PTE and represents less than 25% of the abated dose.</p>	<p><b>Sr - 89/90</b>                              1.58E+03 Identified as contributing greater than 10% of the potential TEDE to the MEI, or greater than 25% of the TEDE to the MEI after controls.</p>

- 4) **ALTERNATE APPROVAL-Annual Replacement**  
The breather filter must be replaced annually. The new filter must be a Type 1 (radial flow filter) with a Type C filter pack, as defined by AG-1 Code on Nuclear Air and Gas Treatment Section FK, Special HEPA Filters. The filter must have a minimum removal efficiency of 99.97% and a rated flow of 40 cfm. (WAC 246-247-040(5) and WAC 246-247-075(4)).
- 5) **ALTERNATE APPROVAL-Release Fraction**  
Alternate approval is given to use a release fraction of 7.53 E-9 based on back calculations using in situ measurements of the control equipment efficiencies. (WAC 246-247-030 (21)(b)).  
This approval cannot be used as a basis for other emission unit alternative approvals.
- 6) **CONDITIONAL ALTERNATIVE APPROVAL-NDA Testing of Filters**  
Under passive ventilation pumping of waste contents for 240-S-302 shall require a post job Non Destructive Analysis (NDA) of the filter to validate previous NDA results, with results reported to WDOH. (WAC 246-247-040(5) and WAC 246-247-075(4)).

**STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
ENVIRONMENTAL HEALTH PROGRAMS  
OFFICE OF RADIATION PROTECTION**

Docket No:  
**REQUEST FOR ADJUDICATIVE PROCEEDING**

In Re The Approval of:  
**Operation of Breather Filter on 241-UX-302A (Replaced NOC 865) (NOC 895, EU 894)**  
**Operation of Breather Filter on 241-U-301B (Replaced NOC 865) (NOC 897, EU 1129)**  
**Operation of Breather Filter on 241-AZ-154 (Replaced NOC 865) (NOC 896, EU 1130)**  
**Operation of Breather Filter on 240-S-302 (Replaced NOC 865) (NOC 894, EU 1232)**

Approval No:     **AIR 13-801**

THE STATE OF WASHINGTON TO:

**Mr. Kevin W. Smith, Manager  
United States Department of Energy  
Office of River Protection  
P.O. Box 450, MSIN: H6-60  
Richland, Washington 99352-0450**

If you wish to request an adjudicative proceeding, you or your attorney must COMPLETE AND FILE THIS FORM OR A DOCUMENT PROVIDING SUBSTANTIALLY THE SAME INFORMATION WITH THE DEPARTMENT OF HEALTH ADJUDICATIVE SERVICE UNIT WITHIN TWENTY-EIGHT (28) DAYS OF YOUR RECEIPT of this Request for Adjudicative Proceeding form and a copy of the Office of Radiation Protection's approval, **AIR 13-801**.

You must file your application in a manner that shows proof of service on the Adjudicative Service Unit, at the following address:

Department of Health  
Adjudicative Service Unit  
310 Israel Road S.E.  
P.O. Box 47879  
Olympia, WA 98504-7879

With your application, you must include a copy of the Office of Radiation Protection's approval.

FILING SHALL NOT BE DEEMED COMPLETE UNTIL THE ADJUDICATIVE SERVICE UNIT ACTUALLY RECEIVES YOUR APPLICATION.

YOU HAVE THE RIGHT TO a formal hearing in this matter conducted pursuant to Revised Code of Washington (RCW) 43.70.115, Chapter 34.05 RCW, and Chapter 246-10 of the Washington Administrative Code (WAC). Alternatively, you may waive the formal hearing and submit a written statement and supporting documents setting out your position, your defenses, and any mitigating circumstances that you wish to bring to the Department's attention.

You have the right to be represented by an attorney at your own expense.

**I.**

I **WILL BE** represented by an attorney. His/her name, address, and phone number are:

Name:

Address:

Phone:

I **WILL NOT BE** represented by an attorney.

*If after submitting this request, you obtain attorney representation or change attorneys, you must notify the Adjudicative Service Unit.*

**II.**

I **DO NOT** waive my right to a formal hearing.

I **DO** waive my right to a formal hearing. I understand that if I waive my right to a formal hearing, the Department may decide this matter solely with reference to information in the Department's possession and to such written statements and supporting documents as I may have submitted.

If you choose to waive your right to a formal hearing, please complete the following:

I **AM NOT** submitting documents to the Department in support of my position.

I **AM** submitting a sworn statement and/or other documents to the Department in support of my position. Instructions - Please indicate your responses below:

If you are submitting documents to the Department, please list and briefly identify all such documents in the space provided below and on any additional sheet that may be necessary.

**III.**

ADMISSION/DENIAL OF CONDITIONS OR LIMITATIONS

The Office of Radiation Protection's approval **AIR 13-801**, dated **August 1, 2013**, contains conditions and limitations set out as numbered paragraphs. In the space below you must indicate, in good faith, whether you admit, or do not contest, or deny the conditions or limitations. Conditions or limitations denied or not contested may later be admitted. Conditions or limitations admitted or not contested shall be conclusively deemed true for further proceedings.

Instructions: I admit, deny, or do not contest the conditions or limitations as follows  
(fill in the appropriate paragraph number):

	<u>Admit</u>	<u>Deny</u>	<u>Do Not Contest</u>
Paragraph _____	[ ]	[ ]	[ ]
Paragraph _____	[ ]	[ ]	[ ]
Paragraph _____	[ ]	[ ]	[ ]
Paragraph _____	[ ]	[ ]	[ ]
Paragraph _____	[ ]	[ ]	[ ]
Paragraph _____	[ ]	[ ]	[ ]
Paragraph _____	[ ]	[ ]	[ ]
Paragraph _____	[ ]	[ ]	[ ]
Paragraph _____	[ ]	[ ]	[ ]

Please attach any additional sheets that may be necessary to respond to all allegations.

If you have chosen not to waive your rights to a formal hearing, please state all grounds for contesting this matter in the space provided below and on any additional sheets that may be necessary.

**IV.**

You have the right to an interpreter, appointed at no cost, if you are a hearing impaired person or limited English speaking person. If any witness for you is a hearing impaired person or a limited English speaking person, an interpreter will be appointed at your expense.

I **[DO]** / **[DO NOT]** (circle one) request an interpreter be appointed. If an interpreter is requested, please indicate the person or persons for whom an interpreter is required and their primary language, and/or whether they are hearing impaired.

IF YOU FAIL TO FILE YOUR APPLICATION IN A TIMELY MANNER, OR IF YOU FILE YOUR APPLICATION TIMELY BUT FAIL TO APPEAR AT ANY SCHEDULED SETTLEMENT CONFERENCE, PREHEARING CONFERENCE, OR HEARING WITHOUT LEAVE TO DO SO, THE DEPARTMENT MAY DECIDE THIS MATTER WITHOUT YOUR PARTICIPATION AND WITHOUT FURTHER NOTICE TO YOU.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Party

\_\_\_\_\_  
Party's Representative (if any)

WSBA #: \_\_\_\_\_