

**RCW 70A.384.090 Review of potential damage—Financial assurance.**

(1) The director of the department of ecology may periodically review the potential for bodily injury and property damage arising from the transportation and disposal of commercial low-level radioactive waste under permits issued by the state.

(2) In making the determination of the appropriate level of financial assurance, the director shall consider:

(a) The nature and purpose of the activity and its potential for injury and damages to or claims against the state and its citizens;

(b) The current and cumulative manifested volume and radioactivity of waste being packaged, transported, buried, or otherwise handled;

(c) The location where the waste is being packaged, transported, buried, or otherwise handled, including the proximity to the general public and geographic features such as geology and hydrology, if relevant; and

(d) The legal defense cost, if any, that will be paid from the required financial assurance amount. [2012 c 19 s 6; 1998 c 245 s 83; 1992 c 61 s 1; 1990 c 82 s 1; 1986 c 191 s 1. Formerly RCW 43.200.200.]

**Effective date—2012 c 19:** See note following RCW 70A.384.010.