



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL PUBLIC HEALTH
PO Box 47820 • Olympia, Washington 98504-7820
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June 22, 2023

Greetings Honorable Tribal Leaders and Tribal Partners:

Subject: Federal publication date revision to WAC 246-247-035, National standards adopted by reference for sources of radionuclide emissions.

In accordance with chapter [43.376 RCW](#), the [Washington State Centennial Accord of 1989](#), and [DOH Consultation and Collaboration Procedure](#), we invite collaboration with Indian tribes and tribal organizations in the development of policies, agreements, and program implementation that directly affects Indian tribes and tribal people.

We are writing today to provide information about federal updates to the publication date of federal rules adopted by reference under [40 C.F.R. Part 61](#) from 2022 to the most recently adopted 2023 version in [WAC 246-247-035](#), National standards adopted by reference for sources of radionuclide emissions. The proposed amendment makes no changes to any state requirements previously adopted. The U.S. Environmental Protection Agency (EPA) updates the federal code each year even when no amendments to the requirements are made. EPA requires the Department of Health (department) to adopt the annual updated publication date into state rule to receive full delegation of the Radionuclide Air Emissions Program from the U.S. Environmental Protection Agency (EPA).

The Department of Ecology or a local air pollution control authority administers [Title V of the federal Clean Air Act](#) and issues all Air Operating Permits. When a facility emits radionuclides, the department issues an Air Emissions License under [RCW 70A.388.040](#). To obtain full delegation for regulation of radionuclide air emissions from EPA, the department must adopt rules that are at least as stringent as the applicable federal requirements.

For additional information and to provide written feedback, contact John Martell at (509) 946-3798 or john.martell@doh.wa.gov. For tribal related matters, please contact Tribal Policy Director, Candice Wilson, at 360-819-7626, candice.wilson@doh.wa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lauren Smith".

Lauren Jenks
Assistant Secretary, Environmental Public Health Division

cc: Umair A. Shah, MD, MPH, Secretary of Health, Department of Health
Candice Wilson, Quatz'tenaut (Lummi), Tribal Policy Director, Department of Health
Jessica Todorovich, Chief of Staff, Department of Health
Kristin Peterson, Chief of Policy, Planning & Evaluation, Department of Health
Elizabeth Perez, Chief of Public Affairs and Equity, Department of Health
Kristopher Holiday, Chief of Strategic Partnerships, Department of Health
Lacy Fehrenbach, Chief of Prevention, Safety and Health, Department of Health
Jill Wood, Director, Director, Office of Radiation and Protection, Department of Health