Kansas Administrative Regulations

Department of Health and Environment

Article 35.—Radiation—Part 4. Standards for Protection Against Radiation.

28-35-223a. Waste disposal; general requirements.

(a) A licensee shall not dispose of any radioactive material except by one of the following means:

(1) By transferring the material to an authorized recipient as provided in K.A.R. 28-35-190a;

(2) pursuant to K.A.R. 28-35-214b, 28-35-223a (c)(1), or 28-35-224a; or

(3) by decay in storage.

(b) A person shall be specifically licensed or registered to receive waste containing licensed or registered material from other persons for any of the following:

(1) Treatment before disposal;

(2) treatment or disposal by incineration;

(3) decay in storage;

(4) disposal at a land disposal facility licensed pursuant to these regulations; or

(5) storage until transferred to a storage or disposal facility authorized to receive the waste.

(c)(1) Any person may apply to the secretary for consideration for approval of proposed procedures to dispose of radioactive material in a manner not otherwise authorized in this part. Each applicant shall include a description of the radioactive material, including the following:

(A) The quantities and kinds of radioactive material;

(B) the levels of radioactivity involved; and

(C) the proposed manner and conditions of disposal.

(2) The application, when appropriate, shall also include an analysis and evaluation of pertinent information concerning the following:

(A) A description of the waste containing the licensed or registered material to be disposed of, including the physical and chemical properties that have an impact on risk evaluation, and the proposed manner and conditions of waste disposal;

(B) the nature of the environment, including topographical, geological, meteorological, and hydrological characteristics;

(C) the usage of groundwater and surface waters in the general area;

(D) the nature and location of other potentially affected facilities; and

(E) the procedures to be observed to minimize the risk of unexpected or hazardous exposures.

(3) An application for a license to receive radioactive material from other persons for disposal on land not owned by a state or the federal government shall not be approved by the secretary.

(d)(1) Any licensee may dispose of the following licensed materials without regard to its radioactivity:

(A) 0.05 microcuries (1.850 kBq) or less of hydrogen-3 or carbon-14, per gram of medium used for liquid scintillation counting; and

(B) 0.05 microcuries or less of hydrogen-3 or carbon-14, per gram of animal tissue averaged over the weight of the entire animal. Tissue shall not be disposed of under this regulation in a manner that would permit its use either as food for humans or as animal feed.

(2) This regulation shall not exempt any licensee or registrant from the requirement to maintain records showing the receipt, transfer, and disposal of the radioactive material as specified in K.A.R. 28-35-227c.

(3) This regulation shall not exempt any licensee or registrant from the requirement to comply with other applicable federal, state, and local regulations governing any other toxic or hazardous property of waste materials.

(Authorized by and implementing K.S.A. 48-1607; effective, T-85-43, Dec. 19, 1984; effective May 1, 1985; amended Sept. 20, 1993; amended Oct. 17, 1994; amended Dec. 30, 2005.)

***** Authenticated Kansas Administrative Regulation *****