Kansas Administrative Regulations

Department of Health and Environment

Article 35.—Radiation—Part 1. Definitions.

28-35-140. Exemptions.

(a) Carriers. Each common carrier, each contract carrier, each freight forwarder, and each U.S. postal service carrier that only transports or stores radioactive material in the regular course of carriage or storage shall be exempt from parts 3, 4, 6, 7, 10, 11, and 12 of these regulations and from K.A.R. 28-35-700.

(b) U.S. department of energy contractors and U.S. nuclear regulatory commission contractors. Each U.S. department of energy contractor or subcontractor and each U.S. nuclear regulatory commission contractor or subcontractor operating in Kansas shall be exempt from these regulations to the extent that the contractor or subcontractor, under the contract, receives, possesses, uses, transfers, or acquires sources of radiation and if the contractor or subcontractor is included in one of the following categories:

(1) Prime contractors performing work for the U.S. department of energy at sites owned or controlled by the U.S. government, including the transportation of sources of radiation to or from these sites and the performance of contract services during temporary interruptions of transportation;

(2) prime contractors of the U.S. department of energy performing research in, or development, manufacture, storage, testing, or transportation of, atomic weapons or components of atomic weapons;

(3) prime contractors of the U.S. department of energy using or operating nuclear reactors or other nuclear devices in a U.S. government-owned vehicle or vessel; and

(4) any other prime contractor or subcontractor of the U.S. department of energy or the U.S. nuclear regulatory commission if the secretary determines that, under the terms of the contract or subcontract, there is adequate assurance that the work can be accomplished without undue risk to the public health and safety.

(Authorized by and implementing K.S.A. 48-1607; effective Jan. 1, 1970; amended, T-85-43, Dec. 19, 1984; amended May 1, 1985; amended May 4, 2018.)

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