Kansas Administrative Regulations

Department of Health and Environment

Article 35.—Radiation—Part 3. Licensing of Sources of Radiation.

28-35-191a. Modification, revocation, and termination of licenses.

(a) Any license may be suspended or revoked by reason of amendment to the act or these regulations or by an order of the secretary.

(b) Any license may be revoked, suspended, or modified, in whole or in part:

(1) For any material false statement in the application or any statement of fact required under provision of the act or these regulations;

(2) because of any condition, revealed by the application, or any statement of fact, or any report, record, or inspection or other means, which would warrant the denial of an original application; or

(3) for violation of, or failure to observe, any of the terms and conditions of the license, or any requirement of the act, or any rule and regulation or order of the secretary.

(c) Except in cases in which the public health, interest, or safety requires otherwise, no license shall be modified, suspended, or revoked unless, prior to the institution of such proceedings:

(1) those facts or conduct which appear to warrant such action have been called to the attention of the licensee in writing; and

(2) the licensee has been accorded an opportunity to demonstrate or achieve compliance with all lawful requirements.

(d) The secretary may revoke a specific license upon written request of a licensee. (Authorized by and implementing K.S.A. 1984 Supp. 48-1607; effective, T-86-37, Dec. 11, 1985; effective May 1, 1986.)

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