Kansas Administrative Regulations

Department of Health and Environment

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

28-35-204. Decommissioning plan.

(a) Each licensee shall submit a decommissioning plan if at least one of the following conditions is met:

(1) The licensee intends to terminate the license using radiological criteria specified in K.A.R. 28-35-205a or K.A.R. 28-35-205b.

(2) A decommissioning plan is otherwise required by these regulations.

(3) A decommissioning plan is required by a license condition.

(4) The procedures and activities necessary to carry out decommissioning of the site or separate building or outdoor area have not been previously approved by the department, and these procedures could increase the potential health and safety impact on workers or on the public, including any of the following types of procedures:

(A) Procedures that would involve techniques not applied routinely during cleanup or maintenance operations;

(B) procedures permitting workers to enter areas not normally occupied where surface contamination and radiation levels are higher than routinely encountered during the operation for which the license was issued;

(C) procedures that could result in greater airborne concentrations of radioactive materials than are present during operation;

(D) procedures that could result in greater releases of radioactive material to the environment than those associated with the operation for which the license was issued; or

(E) procedures with a potential health and safety impact that could be carried out before approval of the decommissioning plan.

(b) The proposed decommissioning plan for the facility or site, or separate building or outdoor area, shall include the following:

(1) A description of the conditions of the facility or site sufficient to evaluate the acceptability of the plan;

(2) a description of the planned decommissioning operations;

(3) a description of the methods used to ensure the protection of workers and the environment against radiation hazards during decommissioning;

(4) a description of the radiation survey planned to demonstrate compliance with subsection (e) or with K.A.R. 28-35-205; and

(5) an updated, detailed cost estimate of decommissioning, comparison of that estimate with the present funds set aside for decommissioning, and a plan for ensuring the availability of adequate funds for completion of the decommissioning.

(c) For decommissioning plans calling for completion of decommissioning more than 24 months after plan approval, the plan shall include a justification for the delay. The proposed decommissioning plan shall not be approved unless the licensee demonstrates that the decommissioning will be completed as soon as practicable and that the health and safety of the workers and the public will be protected.

(d) Each licensee shall complete the decommissioning of the facility or site as soon as practicable but not more than 24 months following the initiation of decommissioning, unless an alternate schedule addressing the factors specified in subsection (f) is approved.

(e) If decommissioning involves the entire site, the licensee shall request license termination upon completion of the decommissioning operations.

(f) For decommissioning plans calling for the completion of decommissioning more than 24 months after plan approval, the plan shall include a written justification for the decommissioning schedule warranted by consideration of the following:

(1) Whether it is technically feasible to complete decommissioning within the allotted 24-month period;

(2) whether waste disposal capacity is available to allow the completion of decommissioning within the allotted 24-month period;

(3) whether a volume reduction of wastes requiring disposal will be achieved by allowing short-lived radionuclides to decay;

(4) whether a reduction in radiation exposure to workers can be achieved by allowing short-lived radionuclides to decay; and

(5) whether other site-specific factors exist. These factors may include the regulatory requirements of other government agencies, lawsuits, groundwater treatment operations, monitored natural groundwater restoration, and actions that could result in more environmental harm than deferred cleanup.

(g) Each licensee shall perform the following final steps in decommissioning:

(1) Conduct a radiation survey of the premises where the licensed operations were carried out and submit a report of the results of this survey, unless the licensee demonstrates that the premises are suitable for release in some other manner. Each licensee shall complete the following, as appropriate:

(A) Report the levels of gamma radiation in units of millisieverts or microrems per hour at one meter from surfaces and report the levels of radioactivity, including alpha and beta, in units of megabecquerels, disintegrations per minute, or microcuries per milliliter for water, and becquerels or picocuries per gram for solids, including soil and concrete; and

(B) specify the survey instrument or instruments used and certify that each instrument is calibrated and tested.

(2) Each licensee shall certify the disposition of all licensed material, including accumulated wastes, by submitting a completed form specified by the department or the equivalent information to the department.

(Authorized by and implementing K.S.A. 48-1607; effective Dec. 30, 2005.)

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