Kansas Administrative Regulations

Department of Health and Environment

Article 35.—Radiation—Part 15. Packaging and Transportation of Radioactive Material.

28-35-505. Quality assurance requirements.

The provisions of 10 C.F.R. part 71, subpart H, as in effect on January 1, 2020, are hereby adopted by reference, with the changes specified in this regulation.

(a) The following sections shall be deleted:

(1) 71.101(c)(2), (d), and (e);

(2) 71.107;

(3) 71.109;

(4) 71.111;

(5) 71.113;

(6) 71.115;

(7) 71.117;

(8) 71.119;

(9) 71.121;

(10) 71.123; and

(11) 71.125.

(b) The changes specified in this subsection shall be made wherever the following text occurs within the portions of 10 C.F.R. part 71 adopted in this regulation:

(1) "ATTN: Document Control Desk, Director, Division of Fuel Management, Office of Nuclear Material Safety and Safeguards" shall be replaced with "the department."

(2) "NRC Form 3" shall be replaced with "department form RH-3."

(3) "Subpart H of this part" and "§§71.010 through 71.137" shall be replaced with "K.A.R. 28-35-505."

(4) "This chapter" shall be replaced with "10 C.F.R."

(c) Wherever the following terms occur within the portions of 10 C.F.R. part 71 adopted in this regulation, these terms shall be replaced with "department":

(1) "Administrator of the appropriate Regional Office";

(2) "commission";

(3) "NRC";

(4) "Nuclear Regulatory Commission"; and

(5) "United States Nuclear Regulatory Commission."

(d) The following changes shall be made to the sections specified:

(1) In 10 C.F.R. 71.101(a), the following sentence shall be deleted: "Each certificate holder and applicant for a package approval is responsible for satisfying the quality assurance requirements that apply to design, fabrication, testing, and modification of packaging subject to this subpart."

(2) In 10 C.F.R. 71.101(f), the sentence "The licensee, certificate holder, and applicant for a CoC shall identify the program by date of submittal to the Commission, Docket Number, and date of Commission approval" and the phrase "in accordance with §71.1" shall be deleted.

(3) 10 C.F.R. 71.101(g) shall be replaced by the following text:

"Each program for transport container inspection and maintenance that is limited to radiographic exposure devices, source changers, or any package transporting these devices or changers and that meets the requirements of K.A.R. 28-35-282a or equivalent NRC or agreement state requirements shall be deemed to meet the requirement specified in K.A.R. 28-35-500(b)."

(e) The terms "certificate of compliance," "certificate holder," and "applicant" shall apply to the NRC as the sole authority for issuing a package certificate of compliance.

(f) Each submittal required by this regulation shall be submitted to the department, with the exception of a certificate of compliance.

(Authorized by and implementing K.S.A. 48-1607; effective Dec. 30, 2005; amended April 1, 2022; amended Dec. 26, 2025.)

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