Kansas Administrative Regulations

Department of Health and Environment

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

28-35-178a. General license; certain ionization devices.

(a) Each commercial and industrial firm, research, educational, and medical institution, individual in the conduct of the individual's business, and federal, state, or local government agency shall be deemed to have been issued a general license to acquire, receive, possess, use, or transfer radioactive material incorporated in any device or equipment as described in this subsection, if the device or equipment is manufactured, tested, and labeled by a manufacturer in accordance with the specifications of a specific license issued to the manufacturer by the secretary, the nuclear regulatory commission, or an agreement state. This general license shall apply to the following:

(1) Static elimination devices that contain, as a sealed source or sources, by-product material consisting of a total of not more than 18.5 MBq (500 microcuries) of polonium-210 per device;

(2) ion-generating tubes that are designed for ionization of air and that contain, as a sealed source or sources, radioactive material consisting of a total of not more than 500 microcuries of polonium-210 per device or a total of not more than 50 millicuries of hydrogen-3 (tritium) per device; and

(3) devices or equipment authorized before October 23, 2012 for use under the general license provided in 10 C.F.R. 31.3 and equivalent regulations of agreement states and the nuclear regulatory commission and manufactured, tested, and labeled by the manufacturer in accordance with the specifications contained in a specific license issued by the department.

(b) The general license specified in subsection (a) shall be subject to the following regulations:

(1) K.A.R. 28-35-137 through 28-35-139;

(2) K.A.R. 28-35-192b;

(3) K.A.R. 28-35-184a;

(4) K.A.R. 28-35-190a;

(5) K.A.R. 28-35-191a;

(6) K.A.R. 28-35-196a; and

(7) all of parts 4 and 10 of these regulations.

(Authorized by and implementing K.S.A. 48-1607; effective, T-86-37, Dec. 11, 1985; effective May 1, 1986; amended Dec. 30, 2005; amended July 27, 2007; amended April 1, 2022.)

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