Kansas Administrative Regulations

Department of Health and Environment

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

28-35-192e. Exemptions; gas and aerosol detectors containing radioactive material.

(a) Except for persons that manufacture, process, or produce gas and aerosol detectors containing radioactive material or initially transfer these products for sale or distribution, each person that acquires, receives, owns, possesses, uses, or transfers radioactive material in gas and aerosol detectors designated to protect life or property from fires and airborne hazards shall be exempt from the requirements for a license issued under K.A.R. 28-35-175a, except for the requirements of K.A.R. 28-35-700. Each detector shall have been manufactured, processed, produced, or initially transferred in accordance with a specific license issued by the secretary pursuant to K.A.R. 28-35-181q or a license issued by the nuclear regulatory commission or by an agreement state pursuant to an equivalent regulation of the nuclear regulatory commission or the agreement state.

(b) Gas and aerosol detectors previously manufactured and distributed before November 30, 2007 to general licensees in accordance with a specific license issued by an agreement state shall be exempt from the requirements of subsection (a).

(c) Each person that wants to manufacture, process, or produce gas and aerosol detectors containing radioactive material, or to initially transfer these products for use pursuant to this regulation, shall apply for a license pursuant to K.A.R. 28-35-181q and a certificate of registration required by K.A.R. 28-35-181u.

(Authorized by and implementing K.S.A. 48-1607; effective, T-86-37, Dec. 11, 1985; effective May 1, 1986; amended March 18, 2011; amended April 1, 2022.)

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