Kansas Administrative Regulations

Department of Health and Environment

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

28-35-502. Air transport of plutonium.

(a) Notwithstanding any applicable provisions of any general licenses and notwithstanding any applicable exemptions stated in this part or in the U.S. department of transportation regulations, each licensee shall ensure that plutonium in any form, whether for import, export, or domestic shipment, is not transported by air or delivered to a carrier for air transport unless at least one of the following conditions is met:

(1) The plutonium is contained in a medical device designed for human application for one individual.

(2) The plutonium is contained in a material in which the specific activity is less than or equal to the activity concentration values for plutonium specified in K.A.R. 28-35-221b and in which the radioactivity is essentially uniformly distributed.

(3) The plutonium is shipped in a single package containing no more than an A_2 quantity of plutonium in any isotope or form and is shipped as specified in K.A.R. 28-35-196a.

(4) The plutonium is shipped in a package specifically authorized for the shipment of plutonium by air in the certificate of compliance issued by the NRC for that package.

(b) Nothing in subsection (a) of this regulation shall be interpreted as removing or diminishing the requirements of 10 CFR 73.24.

(c) For any shipment of plutonium by air that is subject to paragraph (a)(4), each licensee shall, through special arrangement with the carrier, require the carrier's compliance with 49 CFR 175.704.

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

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