Kansas Administrative Regulations

Department of Health and Environment

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

28-35-205b. Alternate criteria for license termination.

A license shall be terminated by the secretary using alternate criteria greater than the dose criteria specified in K.A.R. 28-35-205a only if the licensee provides all of the following information:

(a) Evidence that public health and safety and the environment would continue to be protected and that it is unlikely that the dose from all man-made sources combined, other than medical, could be more than the limit of one millisievert per year or 100 mrem per year specified in part 4 of these regulations, by submitting an analysis of the possible sources of exposure;

(b) restrictions, to the extent practical, on site use according to the provisions of K.A.R. 28-35-205a to minimize exposure at the site;

(c) evidence that doses have been reduced to ALARA levels, taking into consideration any detriment, including any traffic accidents that could result from decontamination and waste disposal;

(d) a decommissioning plan indicating the licensee's intent to decommission in accordance with this part and specifying that the licensee proposes to decommission by the use of alternate criteria. The licensee shall document in the decommissioning plan how the advice of individuals and institutions in the community who might be affected by the decommissioning has been sought and addressed, as appropriate, following analysis of that advice. In seeking this advice, the licensee shall provide for the following:

(1) Participation by representatives of a broad cross section of community interests who could be affected by the decommissioning;

(2) an opportunity for comprehensive, collective discussions of the issues by the participants represented; and

(3) a publicly available summary of the results of all the discussions specified in paragraph (d)(2), including a description of the individual viewpoints of the participants on the issues and the extent of agreement and disagreement on the issues among the participants; and

(e) sufficient financial assurance, as specified in K.A.R. 28-35-180b, to enable an independent third party, including a governmental custodian of a site, to assume and carry out the responsibilities for any necessary control and maintenance of the site. (Authorized by and implementing K.S.A. 48-1607; effective Dec. 30, 2005; amended May 4, 2018.)

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