

902 KAR 100:037. Physical protection of category 1 and category 2 quantities of radioactive material.

RELATES TO: KRS 194A.005(1), 211.180(1), 211.842 - 211.852, 211.990(4), 10 C.F.R. Part 37

STATUTORY AUTHORITY: KRS 194A.050(1), 211.090(3), 211.844(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 211.844(1) requires the Cabinet for Health and Family Services to provide by administrative regulation for the registration and licensing of the possession or use of sources of ionizing or electronic product radiation and the handling and disposal of radioactive waste. This administrative regulation establishes requirements for the physical security of Category 1 and Category 2 quantities of radioactive material.

Section 1. Definitions. (1) "Cabinet" is defined by KRS 194A.005(1).

(2) "Licensee" means a person subject to 10 C.F.R. Part 37, Physical protection of category 1 and category 2 quantities of radioactive material.

Section 2. Applicability. This administrative regulation shall apply to a licensee. The licensee shall comply with 10 C.F.R. Part 37 except as established in subsections (1) and (2) of this section. (1) The licensee shall not be subject to:

- (a) 10 C.F.R. 37.7;
- (b) 10 C.F.R. 37.13;
- (c) 10 C.F.R. 37.107; or
- (d) 10 C.F.R. 37.109.

(2) Reference to the commission or NRC shall be deemed to be a reference to the cabinet, Department for Public Health, Radiation Health Branch, except in:

- (a) 10 C.F.R. 37.5, Definitions: Agreement State, Byproduct material, Commission, Fingerprint orders, and Person;
- (b) 10 C.F.R. 37.25;
- (c) 10 C.F.R. 37.27;
- (d) 10 C.F.R. 37.29; or
- (e) 10 C.F.R. 37.71.

Section 3. Reporting of events or notifications. The required reporting of events or notifications to the Radiation Health Branch shall be directed to:

- (1) 275 East Main Street, Mailstop HS1C-A, Frankfort, Kentucky 40621;
- (2) (502) 564-3700, Monday through Friday from 8 a.m. to 4:30 p.m.; or
- (3) (800) 255-2587, at other hours. (42 Ky.R. 1669; eff. 2-5-2016.)