

902 KAR 100:085. Exempt concentrations.

RELATES TO: KRS 211.842-211.852, 211.990(4), 10 C.F.R. 30.70

STATUTORY AUTHORITY: KRS 194A.050(1), 211.090(3), 211.180(1), 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 to regulate the handling and disposal of radioactive waste. This administrative regulation establishes a list of concentrations for specific radionuclides that are exempted from the requirements of 902 KAR Chapter 100.

Section 1. Applicability. This administrative regulation exempts certain concentrations of radionuclides from the requirements of the cabinet's radiation administrative regulations.

Section 2. Concentrations. Except as provided in other applicable provisions of 902 KAR Chapter 100, a person shall be exempt from the requirements established in 902 KAR Chapter 100 if the person receives, possesses, uses, transfers, owns, or acquires products or materials containing radioactive material in concentrations not in excess of those listed in 10 C.F.R. 30.70 Schedule A

Section 3. The Combination of Radionuclides. The following applies to the combination of nuclides:

(1) In expressing the concentrations in Section 2 of this administrative regulation, the activity stated is that of the parent nuclide and takes into account the daughters; and

(2) For purposes of 902 KAR 100:045, Section 3, if a combination of nuclides is involved, the limit for the combination shall be derived by determining, for each nuclide in the product, the ratio between the radioactivity concentration present in the product and the exempt radioactivity concentration established in Section 2 of this administrative regulation for the specific nuclide if not in combination. The sum of the ratios shall not exceed one (1), or unity.

(1 Ky.R. 405; eff. 2-5-1975; Am. 12 Ky.R. 1059; eff. 1-3-1986; Am. Ky.R. 1537; eff. 1-10-1992; 26 Ky.R. 2416; 27 Ky.R. 989; eff. 10-16-2000; 42 Ky.R. 2993; 43 Ky.R. 217; eff. 8-17-2016; Cert. eff. 6-12-2023.)