



**CABINET FOR HEALTH AND FAMILY SERVICES  
DEPARTMENT FOR PUBLIC HEALTH**

**Andy Beshear**  
Governor

Division of Public Health Protection & Safety  
Radiation Health Branch  
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**Eric C. Friedlander**  
Acting Secretary

**Angela T. Dearing, MD**  
Commissioner

January 10, 2019

Michelle Beardsley  
Division of Materials Safety, Security, State, and Tribal Programs  
Office of Nuclear Material Safety and Safeguards  
11555 Rockville Pike, TWFN 5<sup>th</sup> Floor  
Rockville, MD 20852

Dear Ms. Beardsley:

The Kentucky Radiation Health Branch has drafted 3 new regulations, modified 5 regulations, and deleted 7 regulations to become compliant with the Nuclear Regulatory Commission regulations. The regulatory process to formally adopt the recommended changes occurred today.

At the current time, Kentucky does not have any radioactive materials licensees requiring 10 CFR 36, Licenses and Radiation Safety Requirements for Irradiators and will start the process to adopt this regulation by reference later this year.

Please review the attached regulations.

New:

902 KAR 100:185, Standards for Protection Against Radiation, Radioactive Materials

- Radioactive Materials removed from existing 902 KAR 100:019, Standard for Protection Against Radiation
- New regulation will incorporate 10 CFR 20 by reference

902 KAR 100:190, Licensing of Source Material

- Incorporating 10 CFR 40 by reference

902 KAR 100:195, Licensing of Special Nuclear Material

- Incorporating 10 CFR 70 by reference

Modify:

902 KAR 100:040, General Provisions for Specific Licenses

- Incorporate 10 CFR 30 by reference

902 KAR 100:050, General Licenses

- Incorporate 10 CFR 31 by reference

902 KAR 100:058, Specific Licenses to Manufacture, Assemble, Repair, or Distribute Products

- Incorporate 10 CFR 32 by reference

902 KAR 100:065, Reciprocal Recognition

- Incorporate 10 CFR 150 by reference

902 KAR 100:165, Notices, Reports and Instructions to Employees

- Incorporate NRC's 10 CFR 10.19 language for radiation exposure records which will close NRC RATS ID 2008-1

NRC Regulations Adopted by Reference to Date:

902 KAR 100:022, Licensing Requirements for Land Disposal of Radioactive Waste (10 CFR 61)

902 KAR 100:037, Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material (10 CFR 37)

902 KAR 100:052, Specific Domestic Licenses of Broad Scope for Byproduct Material (10 CFR 33)

902 KAR 100:070, Packaging and Transportation of Radioactive Material (10 CFR 71)

902 KAR 100:072, Medical Use of Byproduct Material (10 CFR 35)

902 KAR 100:100, Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations (10 CFR 34)

902 KAR 100:142, Licenses and radiation safety requirements for well logging (10 CFR 39)

If you have any questions, please contact me or Jerry Hensley, Supervisor, Radioactive Materials Section, at 502-564-3700 ext. 4179 or [jerry.hensley@ky.gov](mailto:jerry.hensley@ky.gov).

Sincerely,



Matthew W. McKinley, Manager  
Radiation Health Branch