

February 11, 2008

Thomas A. Conley, CHP, RRPT, Chief
Radiation & Asbestos Control Section
Department of Health and Environment
Bureau of Air and Radiation
1000 SW Jackson, Suite 310
Topeka, KS 66612-1366

Dear Mr. Conley:

We received an email from Isabelle Busenitz on January 29, 2008 regarding a bill that has been introduced in the Kansas legislature to repeal statute K.S.A. 48-1604, which is part of your Radiation Control Statutes. It is our understanding that no other Radiation Control Statutes are being repealed at this time. We discussed this matter with Isabelle Busenitz on January 29, 2008.

We have reviewed the Kansas Legislation Article 16 – Nuclear Energy Development and Radiation Control Act Kansas Statutes, K.S.A. 48-1601 through 48-1625 pertaining to Radiation Control, and specifically statute K.S.A. 48-1604 Conduct of studies concerning changes in the laws and regulations with a view to nuclear industrial development. We have determined that the repeal of statute K.S.A. 48-1604 will not affect Kansas's ability to promulgate rules, regulations, and other legally binding requirements for the control of radioactive material and therefore will not affect Kansas's Agreement State status.

If you have any questions regarding this review, please contact Monica Orendi at (301) 415-3938 (e-mail: mlo1@nrc.gov).

Sincerely,

IRA By ADWhite For

Robert J. Lewis, Deputy Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials and
Environmental Management Programs

Enclosures:
As Stated

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