

From: [AgreementStateRegs Resource](#)
To: [Hensley, Jerry R \(CHFS DPH DPHPS\)](#)
Subject: RE: RE: RE: Kentucky RATS Update
Date: Thursday, November 14, 2019 3:33:00 PM

Thank you.

From: Hensley, Jerry R (CHFS DPH DPHPS) <jerry.hensley@ky.gov>
Sent: Thursday, November 14, 2019 1:09 PM
To: AgreementStateRegs Resource <AgreementStateRegs.Resource@nrc.gov>
Cc: Hensley, Jerry R (CHFS DPH DPHPS) <jerry.hensley@ky.gov>; McKinley, Matthew W (CHS-PH) <MatthewW.McKinley@ky.gov>
Subject: [External_Sender] RE: RE: Kentucky RATS Update

Michelle,

1. The changes we agreed to make in Table 1 where the NRC had “no comments” were adopted. See adoption dates below
2. RATS ID 2012-1 changed the compatibility for RATS ID 2001-1 from a B to a C. RATS ID 2001-1 worksheet on the NRC website reflects the compatibility change.
3. Regulations and adoption dates:

902 KAR 100:010. Definitions for 902 KAR Chapter 100. Adoption date 2/5/2015

902 KAR 100:021. Disposal of radioactive material. Adoption date 6/3/2011

902 KAR 100:022. (10 CFR 61) Licensing requirements for land disposal of radioactive waste. Adoption date 12/12/2018

902 KAR 100:037. (10 CFR 37) Physical protection of category 1 and category 2 quantities of radioactive material. Adoption date 12/12/2018

902 KAR 100:040. General provisions for specific licenses. Adoption date 11/16/2011

902 KAR 100:042. Decommissioning and financial surety. Adoption date 2/5/2015

902 KAR 100:045. Exemptions. Adoption date 10/16/2000

902 KAR 100:050. General licenses. Adoption date 6/27/1990

902 KAR 100:052. (10 CFR 33) Specific domestic licenses of broad scope for byproduct

material. Adoption date 12/12/2018

902 KAR 100:058. Specific licenses to manufacture, assemble, repair, or distribute products. Adoption date 2/5/2015

902 KAR 100:070. (10 CFR 71) Packaging and transportation of radioactive material. Adoption date 12/12/2018

902 KAR 100:072. Medical use of byproduct material. Adoption date 12/12/2018

902 KAR 100:100. (10 CFR 39) Licenses for industrial radiography and radiation safety requirements for industrial radiographic operations. Adoption date 12/12/2018

902 KAR 100:142. Licenses and radiation safety requirements for well logging. Adoption date 12/12/2018

902 KAR 100:165. Notices, reports, and instructions to employees. Adoption date 6/3/2011

902 KAR 100:019. Standards for protection against radiation. Adoption date 2/5/2015

Thanks again,

Jerry Hensley, CHP
Radiation Health Supervisor
Radioactive Materials Section
Jerry.Hensley@KY.gov
502-564-3700 extension 4179
502-661-7181 cell

From: AgreementStateRegs Resource <AgreementStateRegs.Resource@nrc.gov>

Sent: Thursday, November 14, 2019 12:14 PM

To: Hensley, Jerry R (CHFS DPH DPHPS) <jerry.hensley@ky.gov>

Subject: RE: RE: Kentucky RATS Update

Jerry, thanks for the prompt response. See my responses in red below.

-Michelle

From: Hensley, Jerry R (CHFS DPH DPHPS) <jerry.hensley@ky.gov>

Sent: Thursday, November 14, 2019 11:31 AM

To: AgreementStateRegs Resource <AgreementStateRegs.Resource@nrc.gov>

Cc: Hensley, Jerry R (CHFS DPH DPHPS) <jerry.hensley@ky.gov>; McKinley, Matthew W (CHS-PH) <MatthewW.McKinley@ky.gov>

Subject: [External_Sender] RE: Kentucky RATS Update

Michelle,

Thanks for getting back.

1. We weren't sure how to close out (final) the RATS IDs that had "no comments" from the NRC. The changes we agreed to make in Table 1 where the NRC had "no comments" were incorporated at the time. I assume to make these items final is to state "we implemented the referenced changes changes and please close the RATS ID". **The RATS ID is considered closed out when we review the final adopted regulations (or license condition) and have no comments. No other actions are needed on your part.**
2. For RATS IDs 2005-3 and 2007-4, could we say these RATS ID were superseded by 2013-1 which has been finalized by the NRC. Please close out these items. **No need, these RATS IDs were addressed already.**

For RATS ID 2012-1, all it did was changed the compatibility for RATS ID 2001-1 from a B to a C. Could we ask: " Please finalize this action since no action is required by Kentucky. RATS ID 2001-1 worksheet has incorporated this change". **That's fine; this RATS ID will be included in our review.**

3. All Kentucky Administration Regulations have been adopted as final. I'll provide dates. Do you still want copies of the regulations? **No, just dates, the copies that you sent are fine.**

When I get your feedback, I'll rewrite the letter. **No need to rewrite the letter, I will include this email in the file.**

Jerry Hensley, CHP
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From: AgreementStateRegs Resource <AgreementStateRegs.Resource@nrc.gov>

Sent: Thursday, November 14, 2019 10:16 AM

To: Hensley, Jerry R (CHFS DPH DPHPS) <jerry.hensley@ky.gov>

Subject: RE: Kentucky RATS Update

Good morning Jerry, before we can "officially" accept your regulation submission for review, I have the following questions for clarification/confirmation:

1. For the RATS IDs listed in Table 1, we wouldn't need to review these unless changes

have been made from the previous submittal. Please clarify whether changes have been made, otherwise I will not include these in our review;

2. For RATS IDs 2005-3 and 2007-4, the ICs/Orders have been superseded by RATS ID 2013-1 which Kentucky has submitted final regulations previously and we had no comments. Therefore, I will not be including those RATS IDs in our review unless something has changed.
3. Please confirm that all of the KHB's regulations submitted for review have been adopted as final regulations; and indicate the date of adoption.

Please feel free to call me with any questions regarding this matter.

Thank you,
Michelle

Michelle Beardsley, Health Physicist

State Regulation Review Coordinator

State Agreement and Liaison Programs Branch

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U.S. Nuclear Regulatory Commission

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From: Hensley, Jerry R (CHFS DPH DPHPS) <jerry.hensley@ky.gov>

Sent: Thursday, November 14, 2019 8:58 AM

To: Williams, Kevin <Kevin.Williams@nrc.gov>

Cc: Ford, Monica <Monica.Ford@nrc.gov>; AgreementStateRegs Resource <AgreementStateRegs.Resource@nrc.gov>; McKinley, Matthew W (CHS-PH) <MatthewW.McKinley@ky.gov>; Hensley, Jerry R (CHFS DPH DPHPS) <jerry.hensley@ky.gov>

Subject: [External_Sender] Kentucky RATS Update

Mr. Williams,

We have attached a cover letter, supporting Kentucky regulations, and the NRC worksheets with applicable Kentucky regulation references for review to support closing out multiple NRC RATS IDs. We would like your staff to review and provide comments on a couple of RATS ID that are not final.

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