

**3701:1-46-51****General license for certain items and self-luminous products containing radium-226.**

- (A) A general license is hereby issued to any person to acquire, receive, possess, use, or transfer, in accordance with the provisions of paragraphs (B), (C), and (D) of this rule, radium-226 contained in the following products manufactured prior to November 30, 2007:
- (1) Antiquities originally intended for use by the general public. For the purposes of this paragraph, antiquities mean products originally intended for use by the general public and distributed in the late nineteenth and early twentieth centuries, such as radium emanator jars, revigators, radium water jars, radon generators, refrigerator cards, radium bath salts, and healing pads;
  - (2) Intact timepieces containing greater than 0.037 megabecquerel (one microcurie), nonintact timepieces, and timepiece hands and dials no longer installed in timepieces;
  - (3) Luminous items installed in air, marine, or land vehicles;
  - (4) All other luminous products, provided that no more than one hundred items are used or stored at the same location at any one time; and
  - (5) Small radium sources containing no more than 0.037 megabecquerel (one microcurie) of radium-226. For the purposes of this paragraph, "small radium sources" means discrete survey instrument check sources, sources contained in radiation measuring instruments, sources used in educational demonstrations (such as cloud chambers and spinthariscopes), electron tubes, lightning rods, ionization sources, static eliminators, or as designated by the director or the United States nuclear regulatory commission.
- (B) Persons who acquire, receive, possess, use, or transfer radium-226 under the general license issued in paragraph (A) of this rule are exempt from the provisions of rules 3701:1-38-07, 3701:1-38-09 to 3701:1-38-18, 3701:1-38-20 to 3701:1-38-25 of the Administrative Code, to the extent that the receipt, possession, use, or transfer of radium-226 is within the terms of the general license; provided, however, that this exemption shall not be deemed to apply to any such person specifically licensed in accordance with rule 3701:1-38-02 of the Administrative Code.
- (C) Any person who acquires, receives, possesses, uses, or transfers radium-226 in accordance with the general license in paragraph (A) of this rule:
- (1) Shall notify the director should there be any indication of possible damage to the product so that it appears it could result in a loss of the radioactive material. A report containing a brief description of the event, and the remedial action taken, must be furnished to the director in the manner specified in rule 3701:1-40-04 of the Administrative Code within thirty days.
  - (2) Shall not abandon products containing radium-226. The product, and any radioactive material from the product, may only be disposed of in accordance with rule 3701:1-38-19 of the Administrative Code, or by transfer to a person authorized by a specific license to receive the radium-226 in the product or as

otherwise approved by the director.

- (3) Shall not export products containing radium-226 except in accordance with United States nuclear regulatory commission regulations.
- (4) Shall dispose of products containing radium-226:
- (a) At a disposal facility authorized to dispose of radioactive material in accordance with Chapter 3701:1-54 of the Administrative Code or equivalent regulation of an agreement state or the United States nuclear regulatory commission;
  - (b) By transfer to a person authorized to receive radium-226 by a specific license issued in accordance with rule 3701:1-38-02 of the Administrative Code or equivalent regulations of an agreement state or the United States nuclear regulatory commission; or
  - (c) As otherwise approved by the director.
- (5) Shall respond to written requests from the director to provide information relating to the general license within thirty calendar days of the date of the request, or other time specified in the request. If the general licensee cannot provide the requested information within the allotted time, it shall, within that same time period, request a longer period to supply the information by providing the director, in the manner specified in rule 3701:1-40-04 of the Administrative Code, a written justification for the request.
- (D) The general license in paragraph (A) of this rule does not authorize the manufacture, assembly, disassembly, repair, or import of products containing radium-226, except that timepieces may be disassembled and repaired.

Effective: 12/01/2012

R.C. 119.032 review dates: 09/10/2012 and 09/15/2017

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Certification

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Date

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