3701:1-37-06 Specific exemptions.

(A) The director may, upon application of any interested person or upon his or her own initiative, grant such exemptions from the requirements of the regulations in this chapter as he or she determines are authorized by law and will not endanger life or property or the common defense and security, and are otherwise in the public interest.

(B) A licensee that possesses radioactive waste that contains category one or category two quantities of radioactive material is exempt from the requirements of rules 3701:1-37-07 through 3701:1-37-28 of the Administrative Code. Except that any radioactive waste that contains discrete sources, ion-exchange resins, or activated material that weighs less than two thousand kilograms (four thousand four hundred nine pounds) is not exempt from the requirements of this chapter. The licensee shall implement the following requirements to secure the radioactive waste:

(1) Use continuous physical barriers that allow access to the radioactive waste only through established access control points;

(2) Use a locked door or gate with monitored alarm at the access control point;

(3) Assess and respond to each actual or attempted unauthorized access to determine whether an actual or attempted theft, sabotage, or diversion occurred; and

(4) Immediately notify the local law enforcement agency (LLEA) and request an armed response from the LLEA upon determination that there was an actual or attempted theft, sabotage, or diversion of the radioactive waste that contains category one or category two quantities of radioactive material.

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