



Ohio Administrative Code Rule 3701:1-40-08 Exempt concentrations.

Effective: May 11, 2009

(A) Except as may be required in paragraphs (C) and (D) of this rule, any person is exempt from the requirements for a license set forth in this chapter and Chapters 3701:1-46, 3701:1-48, 3701:1-49, 3701:1-52, and 3701:1-58 of the Administrative Code to the extent that such person receives, possesses, uses, transfers, owns, or acquires products or materials containing radioactive material in concentrations that do not exceed those listed in the appendix to this rule.

(B) This rule shall not be deemed to authorize the import of radioactive material or products containing radioactive material.

(C) A manufacturer, processor, or producer of a product or material is exempt from the rules in this chapter and Chapters 3701:1-46, 3701:1-48, 3701:1-49, 3701:1-52, and 3701:1-58 of the Administrative Code to the extent that the person transfers radioactive material contained in a product or material in concentrations not in excess of those specified in the appendix to this rule and introduced into the product or material by a licensee holding a specific license issued by an agreement state, the United States nuclear regulatory commission, or the director, expressly authorizing such introduction. This exemption does not apply to the transfer of radioactive material contained in any food, beverage, cosmetic, drug, or other commodity or product designed for ingestion or inhalation by, or application to, a human being.

(D) No person may introduce radioactive material into a product or material knowing or having reason to believe that it will be transferred to persons exempt under this rule, except in accordance with a license issued by the United States nuclear regulatory commission.
