

**3701:1-40-13 Gas and aerosol detectors containing radioactive material.**

- (A) Except for persons who manufacture, process, produce, or initially transfer for sale or distribution gas and aerosol detectors containing radioactive material, a person is exempt from license requirements set forth in this chapter or Chapters 3701:1-38, 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 radioactive material, in gas and aerosol detectors designed to protect health, safety or property, and manufactured, processed, produced, or initially transferred in accordance with a specific license for manufacture and distribution issued pursuant to 10 C.F.R. 32.26, as published in the January 1, 2010, Code of Federal Regulations. This exemption also covers gas and aerosol detectors manufactured or distributed before November 30, 2007, in accordance with a specific license issued by a state under comparable provisions to 10 C.F.R. 32.26, as published in the January 1, 2013, Code of Federal Regulations, authorizing distribution to persons exempt from regulatory requirements.
- (B) A person who desires to manufacture, process, or produce gas and aerosol detectors containing radioactive material, or to initially transfer such products for use pursuant to paragraph (A) of this rule, shall apply for a specific license for manufacture and distribution pursuant to 10 C.F.R. 32.26, as published in the January 1, 2013, Code of Federal Regulations.

Effective: 06/25/2015  
Five Year Review (FYR) Dates: 04/09/2015 and 04/01/2020

CERTIFIED ELECTRONICALLY

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Certification

06/15/2015

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Date

Promulgated Under: 119.03  
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