

*****DRAFT - NOT FOR FILING*****

3701:1-44-12 Small quantities of source material.

- (A) A general license is hereby issued authorizing commercial and industrial firms; research, educational and medical institutions; and federal, state, and local government agencies to receive, possess, use and transfer uranium and thorium, in their natural isotopic concentrations and in the form of depleted uranium for research, development, educational, commercial or operational purposes in the following forms and quantities:-
- (1) No more than 1.5 kilograms (3.3 pounds) of uranium and thorium in dispersible forms (e.g., gaseous, liquid, powder, etc.) at any one time. Any material processed by the general licensee that alters the chemical or physical form of the material containing source material must be accounted for as a dispersible form. A person authorized to possess, use, and transfer source material under this paragraph may not receive more than a total of seven kilograms (15.4 pounds) of uranium and thorium in any one calendar year; and
 - (2) No more than a total of seven kilograms (15.4 pounds) of uranium and thorium at any one time. A person authorized to possess, use, and transfer source material under this paragraph may not receive more than a total of seventy kilograms (one hundred fifty-four pounds) of uranium and thorium in any one calendar year. A person may not alter the chemical or physical form of the source material possessed under this paragraph unless it is accounted for under the limits of paragraph (A)(1) of this rule; or
 - (3) No more than seven kilograms (15.4 pounds) of uranium, removed during the treatment of drinking water, at any one time. A person may not remove more than seventy kilograms (one hundred fifty-four pounds) of uranium from drinking water during a calendar year under this paragraph; or
 - (4) No more than seven kilograms (15.4 pounds) of uranium and thorium at laboratories for the purpose of determining the concentration of uranium and thorium contained within the material being analyzed at any one time. A person authorized to possess, use, and transfer source material under this paragraph may not receive more than a total of seventy kilograms (one hundred fifty-four pounds) of source material in any one calendar year.
- (B) ~~Any~~Any person who receives, possesses, uses, or transfers source material in accordance with the general license in paragraph (A) of this rule:
- (1) Is prohibited from administering source material, or the radiation therefrom, either externally or internally, to human beings except as may be authorized by the director in a specific license.
 - (2) Shall not abandon such source material. Source material may be disposed of as follows:
 - (a) A cumulative total of 0.5 kilograms (1.1 pounds) of source material in a solid, non-dispersible form may be transferred each calendar year, by a person authorized to receive, possess, use, and transfer source material under this general license to persons receiving the material for permanent disposal. The recipient of source material transferred under the provisions of this paragraph is exempt from the requirements to obtain a license under this chapter to the extent the source material is permanently disposed. This provision does not apply to any person who is in possession of source material under a specific license issued under Chapter 3701:1-44 of the Administrative Code; or
 - (b) In accordance with rule 3701:1-38-19 of the Administrative Code.

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- (3) Is subject to the provisions in rules 3701:1-44-01 to 3701:1-44-06, 3701:1-44-19 and 3701:1-44-21 to 3701:1-44-23 of the Administrative Code.
- (4) Shall not export such source material except in accordance with 10 CFR 110, as published in Code of Federal Regulations, January 1, ~~2014~~2018.
- (C) Any person who receives, possesses, uses, or transfers source material in accordance with paragraph (A) of this rule shall conduct activities so as to minimize contamination of the facility and the environment. When activities involving such source material are permanently ceased at any site, if evidence of significant contamination is identified, the general licensee shall notify the director by an appropriate method listed in rule 3701:1-44-05 of the Administrative Code about such contamination and may consult with the director as to the appropriateness of sampling and restoration activities to ensure that any contamination or residual source material remaining at the site where source material was used under this general license is not likely to result in exposures that exceed the limits in rule 3701:1-38-22 of the Administrative Code.
- (D) Any person who receives, possesses, uses, or transfers source material in accordance with the general license granted in paragraph (A) of this rule is exempt from the provisions of Chapter 3701:1-38 of the Administrative Code to the extent that such receipt, possession, use, and transfer are within the terms of this general license, except that such person shall comply with the provisions of rules 3701:1-38-19 and 3701:1-38-22 of the Administrative Code to the extent necessary to meet the provisions of paragraphs (B)(2) and (C) of this rule. However, this exemption does not apply to any person who also holds a specific license issued under Chapter 3701:1-44 of the Administrative Code.
- (E) No person may initially transfer or distribute source material to persons generally licensed under paragraph (A)(1) or (A)(2) of this rule, unless authorized by a specific license issued in accordance with rule 3701:1-44-26 of the Administrative Code. This prohibition does not apply to analytical laboratories returning processed samples to the client who initially provided the sample.