



## Ohio Administrative Code

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

Effective: April 17, 2022

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(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 in effect on the effective date of this rule). 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 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 issued by the United States nuclear regulatory commission and for a certificate of registration in accordance with rule 3701:1-46-49 of the Administrative Code.

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