

3701:1-40-12 Self-luminous products containing tritium, krypton-85, or promethium-147.

- (A) Except for persons who manufacture, process, produce, or initially transfer for sale or distribution self-luminous products containing tritium, krypton-85, or promethium-147, and except as provided in paragraph (C) of this rule, a person is exempt from the license requirements set forth in 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 tritium, krypton-85, or promethium-147 in self-luminous products manufactured, processed, produced, or initially transferred in accordance with a specific license issued pursuant to 10 C.F.R. 32.22, as published in the January 1, 2013, Code of Federal Regulations which license authorizes the initial transfer of the product for use.
- (B) Any person who desires to manufacture, process, or produce, or initially transfer for sale or distribution self-luminous products containing tritium, krypton-85, or promethium-147 for use pursuant to paragraph (A) of this rule, shall apply for a specific license 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.
- (C) The exemption in paragraph (A) of this rule does not apply to tritium, krypton-85, or promethium-147 used in products primarily for frivolous purposes or in toys or adornments.

Effective: 06/25/2015

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

CERTIFIED ELECTRONICALLY

Certification

06/15/2015

Date

Promulgated Under: 119.03
Statutory Authority: 3748.02, 3748.04
Rule Amplifies: 3748.04, 3748.06, 3748.07
Prior Effective Dates: 7/22/2001, 8/15/05, 10/4/10