

**WAC 246-232-012 Exemption of certain gas and aerosol detectors containing radioactive material.**

(1) (a) Except for persons who manufacture, process, produce, or initially transfer for sale or distribution gas and aerosol detectors containing radioactive material, any person is exempt from the requirements for a license and from this chapter and chapters 246-221, 246-222, 246-233, 246-235, 246-240, 246-243, and 246-244 WAC to the extent that the 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 issued under 10 C.F.R. 32.26 which authorizes the initial transfer of the product for use under this chapter. 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 provisions comparable to 10 C.F.R. 32.26 authorizing distribution to persons exempt from regulatory requirements.

(b) Any person who desires to manufacture, process, or produce gas and aerosol detectors containing radioactive material, or to initially transfer such products for use under this subsection should apply for a license under 10 C.F.R. 32.26 and for a certificate of registration in accordance with WAC 246-235-108.

(2) 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 section or other sections or equivalent regulations of the NRC or an agreement state, except in accordance with a specific license issued by the NRC, Washington, D.C. 20555.

[Statutory Authority: RCW 70.98.050 and 70.98.110. WSR 17-01-034, § 246-232-012, filed 12/12/16, effective 1/12/17; WSR 16-13-054, § 246-232-012, filed 6/10/16, effective 7/11/16. Statutory Authority: RCW 70.98.050. WSR 13-24-025, § 246-232-012, filed 11/22/13, effective 12/23/13; WSR 01-02-068, § 246-232-012, filed 12/29/00, effective 1/29/01.]