

**WAC 246-232-009 Exemption of certain items containing radioactive material.** A person is exempt from the requirements for a license and from this chapter and chapters 246-233 and 246-235 WAC to the extent the person receives, possesses, uses, transfers, owns or acquires, and does not apply radioactive material to, or incorporate radioactive material into, the following products:\*

\*Note: 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.

(1) Static elimination devices which contain, as a sealed source or sources, by-product material consisting of a total of not more than 18.5 MBq (500 microcuries) of Po-210 per device.

(2)(a) Ion generating tubes designed for ionization of air that contain, as a sealed source or sources, by-product material consisting of a total of not more than 18.5 MBq (500 microcuries) of Po-210 per device or a total of not more than 1.85 GBq (50 millicuries) of hydrogen-3 (tritium) per device.

(b) Such devices authorized before October 23, 2012, for use under the general license then provided in this section and equivalent regulations of an agreement state or the NRC, and manufactured, tested, and labeled by the manufacturer in accordance with the specifications contained in a specific license issued by the department, an agreement state, or the NRC.

(3) Balances of precision containing not more than 37 megabecquerels (1 millicurie) of tritium per balance or 18.5 megabecquerels (0.5 millicurie) of tritium per balance part manufactured before December 17, 2007.

(4) Marine compasses containing not more than 27.8 gigabecquerels (750 millicuries) of tritium gas and other marine navigational instruments containing not more than 9.25 gigabecquerels (250 millicuries) of tritium gas manufactured before December 17, 2007.

(5) Ionization chamber smoke detectors containing not more than 37 kilobecquerels (1 microcurie) of americium-241 per detector in the form of a foil and designed to protect life and property from fires.

(6) Electron tubes\* provided that each tube contains no more than one of the following specified quantities of radioactive material and the levels of radiation from each electron tube do not exceed 10 micrograys (1 millirad) per hour at 1 centimeter from any surface when measured through 7 milligrams per square centimeter of absorber:

(a) 5.55 gigabecquerels (150 millicuries) of tritium per microwave receiver protector tube or 370 megabecquerels (10 millicuries) of tritium per any other electron tube;

(b) 37 kilobecquerels (1 microcurie) of cobalt-60;

(c) 185 kilobecquerels (5 microcuries) of nickel-63;

(d) 1.11 megabecquerels (30 microcuries) of krypton-85;

(e) 185 kilobecquerels (5 microcuries) of cesium-137;

(f) 1.11 megabecquerels (30 microcuries) of promethium-147.

\*Note: For purposes of this subsection, "electron tubes" include spark gap tubes, power tubes, gas tubes including glow lamps, receiving tubes, microwave tubes, indicator tubes, pick-up tubes, radiation detection tubes, and any other completely sealed tube that is designed to conduct or control electrical currents.

(7) Ionizing radiation measuring instruments containing, for purposes of internal calibration or standardization, one or more sources of radioactive material, provided that:

(a) Each source contains not more than one exempt quantity set forth in WAC 246-232-120, Schedule B, exempt quantities of radioactive materials; and

(b) Each instrument contains no more than 10 exempt quantities. For purposes of this subsection, an instrument's source(s) may contain either one type or different types of radionuclides and an individual exempt quantity may be composed of fractional parts of one or more of the exempt quantities in WAC 246-232-120, Schedule B, exempt quantities of radioactive materials, provided that the sum of such fractions must not exceed unity.

(c) For purposes of this subsection, 1.85 kilobecquerels (0.05 microcurie) of americium-241 is considered an exempt quantity.

[Statutory Authority: RCW 70.98.050 and 70.98.110. WSR 17-01-034, § 246-232-009, filed 12/12/16, effective 1/12/17. Statutory Authority: RCW 70.98.050. WSR 13-24-025, § 246-232-009, filed 11/22/13, effective 12/23/13. Statutory Authority: RCW 70.98.050 and 70.98.080. WSR 09-06-003, § 246-232-009, filed 2/18/09, effective 3/21/09. Statutory Authority: RCW 70.98.050. WSR 01-02-068, § 246-232-009, filed 12/29/00, effective 1/29/01.]