

**4731.3056 EXEMPTION; CERTAIN INDUSTRIAL DEVICES.**

Subpart 1. **Specific license exemption.** Except for persons who manufacture, process, produce, or initially transfer for sale or distribution industrial devices containing radioactive material designed and manufactured for the purpose of detecting, measuring, gauging, or controlling thickness, density, level, interface location, radiation leakage, or qualitative or quantitative chemical composition, or for producing an ionized atmosphere, a person is exempt from parts 4731.1000 to 4731.2090 and 4731.3000 to 4731.7280 to the extent that the person receives, possesses, uses, transfers, owns, or acquires radioactive material in these certain detecting, measuring, gauging, or controlling devices and certain devices for producing an ionized atmosphere, and manufactured, processed, produced, or initially transferred according to a specific license issued under Code of Federal Regulations, title 10, section 32.30, that authorizes the initial transfer of the device for use under this part. This exemption does not cover sources not incorporated into a device, such as calibration and reference sources.

Subp. 2. **Specific license required.** A person who desires to manufacture, process, produce, or initially transfer for sale or distribution industrial devices containing radioactive material for use under subpart 1 must apply for a license under Code of Federal Regulations, title 10, section 32.30, and for a certificate of registration under Code of Federal Regulations, title 10, section 32.210.

**Statutory Authority:** *MS s 144.1201; 144.1202; 144.1203; 144.1204; 144.1205*

**History:** *40 SR 145*

**Published Electronically:** *August 27, 2015*