

**4731.3230 GENERAL LICENSE; AMERICIUM-241 AND RADIUM-226 CALIBRATION OR REFERENCE SOURCES.**

Subpart 1. **License issued; americium-241.** A general license is issued to persons listed in this part to own, receive, acquire, possess, use, and transfer, according to the provisions of subparts 4 and 5, americium-241 or radium-226 in the form of calibration or reference sources:

A. a person who holds a specific license issued by the commissioner that authorizes the person to receive, possess, use, and transfer radioactive material; and

B. a government agency that holds a specific license issued by the NRC that authorizes the person to receive, possess, use, and transfer radioactive material.

Subp. 2. [Repealed, 33 SR 1440]

Subp. 3. [Repealed, 33 SR 1440]

Subp. 4. **Calibration or reference source requirements.** The general licenses in subpart 1 apply only to calibration or reference sources that have been manufactured or initially transferred according to a specific license issued to the manufacturer under part 4731.3365 or by the NRC or an agreement state that authorizes manufacture of the sources for distribution to persons generally licensed by an agreement state.

Subp. 5. **Additional requirements.**

A. The general licenses issued under this part are subject to parts 4731.0260; 4731.1000 to 4731.2950; 4731.3025, subpart 4; 4731.3075, subparts 1, 2, 3, 5, and 6; and 4731.3110 to 4731.3135 and Code of Federal Regulations, title 10, part 21.

B. Persons who own, receive, acquire, possess, use, or transfer one or more calibration or reference sources under the general licenses:

(1) must not possess at any one time, at any one location of storage or use, more than five microcuries (0.185 kilobecquerels) of americium-241 or radium-226 in the sources;

(2) must not receive, possess, use, or transfer the source unless the source or storage container bears a label that includes the following statement or a substantially similar statement that contains the information called for:

"The receipt, possession, use, and transfer of this source, Model....., Serial No. ...., are subject to a general license and the regulations of the Nuclear Regulatory Commission or of a state with which the Nuclear Regulatory Commission has entered into an agreement for the exercise of regulatory authority. Do not remove this label.

CAUTION - RADIOACTIVE MATERIAL - THIS SOURCE CONTAINS AMERICIUM-241 [or RADIUM-226, as appropriate]. DO NOT TOUCH RADIOACTIVE PORTION OF THIS SOURCE.

(Name of manufacturer or initial transferor)";

(3) must not transfer, abandon, or dispose of the source except by transfer to a person authorized by a license from the commissioner, the NRC, or an agreement state to receive the source;

(4) must store the source, except when the source is being used, in a closed container adequately designed and constructed to contain americium-241 or radium-226 that might otherwise escape during storage; and

(5) must not use the source for any purpose other than the calibration of radiation detectors or the standardization of other sources.

C. Sources generally licensed under this part before January 19, 1975, may bear labels authorized by the regulations in effect on January 1, 1975. Sources containing radium-226 generally licensed under this part and manufactured before November 30, 2007, must be labeled according to the applicable state regulations at the time of manufacture or import.

Subp. 6. **Limitation.** The general licenses under this part do not authorize the manufacture, export, or import of calibration or reference sources containing americium-241 or radium-226.

**Statutory Authority:** *MS s 144.1202; 144.1203*

**History:** *29 SR 755; 33 SR 1440*

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