

General license for use of certain industrial products or devices.

- (A) A general license is hereby issued to receive, acquire, possess, use, or transfer, in accordance with the provisions of paragraphs (B), (C), (D), and (E) of this rule, depleted uranium contained in industrial products or devices for the purpose of providing a concentrated mass in a small volume of the product or device.
- (B) The general license in paragraph (A) of this rule applies only to industrial products or devices which have been manufactured or initially transferred in accordance with a specific license issued pursuant to paragraph (A) of rule 3701:1-44-17 of the Administrative Code or in accordance with a specific license issued by the United States nuclear regulatory commission, or an agreement state which authorizes manufacture of the products or devices for distribution to persons generally licensed by the director, the United States nuclear regulatory commission or an agreement state.
- (C)
- (1) Persons who receive, acquire, possess, or use depleted uranium pursuant to the general license established by paragraph (A) of this rule shall file form HEA 5115, "Use of Depleted Uranium Under General License," with the director. The form shall be submitted within thirty days after the first receipt or acquisition of such depleted uranium. The person shall furnish on form HEA 5115 the following information and such other information as may be required by that form:
- (a) Name and address of the person;
- (b) A statement that the person has developed and will maintain procedures designed to establish physical control over the depleted uranium described in paragraph (A) of this rule and designed to prevent transfer of such depleted uranium in any form, including metal scrap, to persons not authorized to receive the depleted uranium; and
- (c) Name and/or title, address, and telephone number of the individual duly authorized to act for and on behalf of the person in supervising the procedures identified in paragraph (C)(1)(b) of this rule.
- (2) The person possessing or using depleted uranium under the general license established by paragraph (A) of this rule shall report in writing to the director any changes in information furnished by the person in the form HEA 5115 "Use of Depleted Uranium Under General License." The report shall be submitted within thirty days after the effective date of such change.
- (D) A person who receives, acquires, possesses, or uses depleted uranium pursuant to the general license established by paragraph (A) of this rule:
- (1) Shall not introduce such depleted uranium, in any form, into a chemical, physical, or metallurgical treatment or process, except a treatment or process for repair or restoration of any plating or other covering of the depleted uranium.
- (2) Shall not abandon such depleted uranium.

- (3) Shall transfer or dispose of such depleted uranium only by transfer in accordance with the provisions of rule 3701:1-44-22 of the Administrative Code. In the case where the transferee receives the depleted uranium pursuant to the general license established by paragraph (A) of this rule, the transferor shall furnish the transferee a copy of this rule and a copy of form HEA 5115. In the case where the transferee receives the depleted uranium pursuant to a general license contained in the United States nuclear regulatory commission regulations or an agreement state's regulation equivalent to this rule, the transferor shall furnish the transferee a copy of this rule and a copy of form HEA 5115 accompanied by a note explaining that use of the product or device is regulated by the United States nuclear regulatory commission or an agreement state under requirements substantially the same as those in this rule.
- (4) Within thirty days of any transfer, shall report, in writing to the director, the name and address of the person receiving the source material pursuant to such transfer.
- (E) Any person receiving, acquiring, possessing, using, or transferring depleted uranium pursuant to the general license established by paragraph (A) of this rule is exempt from the requirements of Chapter 3701:1-38 of the Administrative Code with respect to the depleted uranium covered by that general license.

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