

4731.0745 GENERAL LICENSE; SMALL QUANTITIES OF SOURCE MATERIAL.

Subpart 1. **General license issued.** A general license is issued authorizing commercial and industrial firms; research, educational, and medical institutions; and state and local government agencies to receive, possess, use, and transfer uranium and thorium, in their natural isotopic concentrations and in the form of depleted uranium, for research, development, educational, commercial, or operational purposes in the following forms and quantities:

A. no more than 1.5 kg (3.3 lb) of uranium and thorium in dispersible forms, for example gaseous, liquid, or powder, at any one time. Any material processed by the general licensee that alters the chemical or physical form of the material containing source material must be accounted for as a dispersible form. A person authorized to possess, use, and transfer source material under this item may not receive more than a total of 7 kg (15.4 lb) of uranium and thorium in any one calendar year. Persons possessing source material in excess of these limits as of December 31, 2014, may continue to possess up to 7 kg (15.4 lb) of uranium and thorium at any one time for one year beyond this date, or until the commissioner takes final action on a pending application submitted on or before December 31, 2015, for a specific license for such material and receive up to 70 kg (154 lb) of uranium or thorium in any one calendar year until December 31, 2015, or until the commissioner takes final action on a pending application submitted on or before December 31, 2015, for a specific license for such material; and

B. no more than a total of 7 kg (15.4 lb) of uranium and thorium at any one time. A person authorized to possess, use, and transfer source material under this item may not receive more than a total of 70 kg (154 lb) of uranium and thorium in any one calendar year. A person may not alter the chemical or physical form of the source material possessed under this item unless it is accounted for under the limits of item A; or

C. no more than 7 kg (15.4 lb) of uranium, removed during the treatment of drinking water, at any one time. A person may not remove more than 70 kg (154 lb) of uranium from drinking water during a calendar year under this item; or

D. no more than 7 kg (15.4 lb) of uranium and thorium at laboratories for the purpose of determining the concentration of uranium and thorium contained within the material being analyzed at any one time. A person authorized to possess, use, and transfer source material under this item may not receive more than a total of 70 kg (154 lb) of source material in any one calendar year.

Subp. 2. **Other law.** A person who receives, possesses, uses, or transfers source material under the general license issued under subpart 1:

A. is prohibited from administering source material, or the radiation therefrom, either externally or internally, to human beings except as authorized by the commissioner in a specific license;

B. must not abandon the source material. Source material may be disposed of as follows:

(1) a cumulative total of 0.5 kg (1.1 lb) of source material in a solid, nondispersible form may be transferred each calendar year, by a person authorized to receive, possess, use, and transfer source material under this general license to persons receiving the material for permanent disposal. The recipient of source material transferred under the provisions of this subitem is exempt from the requirements to obtain a license under parts 4731.0700 to 4731.0840 to the extent the source material is permanently disposed. This provision does not apply to any person who is in possession of source material under a specific license issued under this chapter; or

(2) in accordance with part 4731.2400;

C. is subject to the provisions in parts 4731.0700 to 4731.0710, 4731.0785, and 4731.0810 to 4731.0840;

D. must respond to written requests from the commissioner to provide information relating to the general license within 30 calendar days of the date of the request, or other time specified in the request. If the person cannot provide the requested information within the allotted time, the person must, within that same time period, request a longer period to supply the information by providing the commissioner a written justification for the request; and

E. must not export such source material except in accordance with Code of Federal Regulations, title 10, section 110.

Subp. 2a. **Contamination.** Any person who receives, possesses, uses, or transfers source material in accordance with subpart 1 must conduct activities to minimize contamination of the facility and the environment. When activities involving source material are permanently ceased at any site, if evidence of significant contamination is identified, the general licensee must notify the commissioner about the contamination and may consult with the commissioner as to the appropriateness of sampling and restoration activities to ensure that any contamination or residual source material remaining at the site where source material was used under this general license is not likely to result in exposures that exceed the limits in part 4731.2100.

Subp. 3. **Exemption.** A person who receives, possesses, uses, or transfers source material under the general license issued under subpart 1 is exempt from the provisions

of parts 4731.1000 to 4731.2950 to the extent that receipt, possession, use, and transfer are within the terms of this general license, except that the person must comply with the provisions of parts 4731.2100, subpart 1, and 4731.2400 to the extent necessary to meet the provisions of subparts 2, item B, and 3. However, this exemption does not apply to any person who also holds a specific license issued under this chapter.

Subp. 4. **Transfer authorization required.** No person may initially transfer or distribute source material to persons generally licensed under subpart 1, item A or B, or equivalent regulations of the NRC or an agreement state, unless authorized by a specific license issued in accordance with part 4731.0816 or equivalent provisions of the NRC or an agreement state. This prohibition does not apply to analytical laboratories returning processed samples to the client who initially provided the sample. Initial distribution of source material to persons generally licensed by subpart 1 before December 31, 2014, without specific authorization may continue for one year beyond this date. Distribution may also be continued until the commissioner takes final action on a pending application for license or license amendment to specifically authorize distribution submitted on or before December 31, 2014.

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

History: *29 SR 755; 40 SR 145*

Published Electronically: *August 27, 2015*