**Section 326.50 Exemptions**

a) Radioactive material possessed or used by the following persons is not subject to this Part:

1) All State, local or other government entities;

 AGENCY NOTE: For purposes of this Section, "government entities" shall not include federal or State contractors, or non-governmental recipients of government funds.

2) Educational institutions;

3) Licensees not authorized to possess or use radioactive material in Illinois;

4) Licensees with no permanent storage or use facilities in Illinois; or

5) Licensees using radioactive material within Illinois under reciprocal recognition of an out-of-state license as specified in 32 Ill. Adm. Code 330.900.

b) Radioactive material in the following forms is not subject to this Part:

1) Radioactive material for use in gas chromatographs, benchtop analytical laboratory instruments, x-ray fluorescence analyzers, static elimination devices and self-luminous exit signs, except for radionuclides with atomic numbers greater than 82 in quantities greater than 3.7 GBq (100 mCi);

2) Sealed sources for exchange into a device, provided that the sources do not concurrently remain in the licensee's possession for more than 30 days;

3) Radioactive noble gases;

4) Depleted uranium prefabricated as shielding;

5) Radioactive material with half-lives of 30 days or less;

6) Radioactive material with atomic numbers less than or equal to 82 in the form of sealed sources, in quantities less than or equal to 37 MBq (1 mCi) per source, not to exceed 185 MBq (5 mCi) total; or

7) Radioactive material with atomic numbers greater than or equal to 83 in the form of sealed sources, in quantities less than or equal to 185 kBq (50 µCi) per source, not to exceed 37 MBq (1 mCi) total.

c) Except for low-level radioactive waste licensees as described in Section 326.60 of this Part, radioactive material with half-lives greater than 30 days, but less than or equal to 275 days, in the following forms, is not subject to this Part:

1) Radioactive material in forms other than noble gases or sealed sources, in quantities not to exceed 37 GBq (1 Ci) per nuclide; and

2) Radioactive material in the form of a sealed source.

d) Except for licensees specified in Sections 326.60 and 326.70 of this Part, specific or general licensees that possess or use radioactive material with half-lives greater than 275 days, in the form of sealed sources in quantities less than or equal to 37 GBq (1 Ci) per source, but not exceeding the applicable quantities specified in Appendix A of this Part, are not subject to this Part.

(Source: Amended at 29 Ill. Reg. 20781, effective December 16, 2005)