

(10-2003)
10 CFR 2.201

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED:

Dow Chemical Company
1600 South Madison Street
Ludington, MI 49431REPORT
NUMBER(S) 2006-001

2. NRC/REGIONAL OFFICE

REGION III
US NUCLEAR REGULATORY COMMISSION
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532

3. DOCKET NUMBER(S)

030-13298

4. LICENSEE NUMBER(S)

21-17772-01

5. DATE(S) OF INSPECTION

January 18, 2006

LICENSEE:

The inspection was an examination of the activities conducted under your license as they relate to radiation safety and to compliance with the Nuclear Regulatory Commission (NRC) rules and regulations and the conditions of your license. The inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observations by the inspector. The inspection findings are as follows:

- ☐ 1. Based on the inspection findings, no violations were identified.
- ☐ 2. Previous violation(s) closed.
- ☐ 3. The violation(s), specifically described to you by the inspector as non-cited violations, are not being cited because they were self-identified, non-repetitive, and corrective action was or is being taken, and the remaining criteria in the NRC Enforcement Policy, NUREG-1600, to exercise discretion, were satisfied.

_____ Non-Cited Violation(s) was/were discussed involving the following requirement(s) and Corrective Action(s):

- ☒ 4. During this inspection certain of your activities, as described below and/or attached, were in violation of NRC requirements and are being cited. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11.

(Violations and Corrective Actions)

License Condition 20 requires the licensee to assure that the shutter mechanism is locked in the closed position during periods when a portion of an individual's body may be subject to direct radiation beam.

Contrary to license Condition 20, on January 17th, 18th the licensee failed to properly lock out two Ohmart level devices on the "C" dryer.

The locks on the level devices were not fully engaged. The licensee's corrective actions will include, 1) discussing the issue at the next safety meeting, 2) writing this issue as a "near miss report," and 3) retraining personnel on lock out procedure, 4) perform a root cause investigation.

Licensee's Statement of Corrective Actions for Item 4, above.

I hereby state that, within 30 days, the actions described by me to the inspector will be taken to correct the violations identified. This statement of corrective actions is made in accordance with the requirements of 10 CFR 2.201 (corrective steps already taken, corrective steps which will be taken, date when full compliance will be achieved). I understand that no further written response to NRC will be required, unless specifically requested.

Title	Printed Name	Signature	Date
LICENSEE'S REPRESENTATIVE	WILLIAM H. BERRETTI	William H. Berretti	1/18/2006
NRC INSPECTOR	D. A. Piskura	E. Kulczar	1/18/2006

**Docket File Information
SAFETY INSPECTION REPORT
AND COMPLIANCE INSPECTION**

1. LICENSEE DOW Chemical Company REPORT NUMBER(S) 03013298/2006001		2. NRC/REGIONAL OFFICE Region III	
3. DOCKET NUMBER(S) 030-13298	4. LICENSE NUMBER(S) 21-17772-01	5. DATE(S) OF INSPECTION January 18, 2006	
6. INSPECTION PROCEDURES USED 87124	7. INSPECTION FOCUS AREAS 03.01 - 03.07		
SUPPLEMENTAL INSPECTION INFORMATION			
1. PROGRAM CODE(S) 03120	2. PRIORITY 5	3. LICENSEE CONTACT Abraham Williams	4. TELEPHONE NUMBER 231/845-4579
<input checked="" type="checkbox"/> Main Office Inspection		Next Inspection Date: January 2011	
<input type="checkbox"/> Field Office			
<input type="checkbox"/> Temporary Job Site			

PROGRAM SCOPE

The licensee produces calcium chloride and employs 131 individuals. The licensee currently possesses 13 specifically licensed fixed gauges used in the production of calcium chloride. The licensee has properly disposed 19 of the 32 fixed gauges that were present during the previous inspection.

Currently, five individuals (authorized users) are involved with use and oversight of the devices not including the RSO. The RSO was out of the office on medical leave at the time of the inspection. The RSO was notified telephonically both before and after the inspection.

Gauges are leak tested at three-year frequencies in accordance with manufacturers specifications. Inventories and shutter checks are performed at *required frequencies*.

The licensee does not perform any service or maintenance activities on its gauges; these services are performed by the manufacturer.

Performance Observations

The inspectors performed a walk down of the facility and observed four of the gauges in conjunction with the licensee's current inventory. The licensee had lock/tag-out and leak test procedures which were also adequately described. The inspectors observed that these locks on two of three gauges were not fully engaged. The inspectors issued a violation for failure to properly lock-out two devices located on the "C" Dryer.

The licensee agreed to the following corrective actions: 1) discuss the issue at the next safety meeting, 2) write this issue in a "near miss report," 3) re-instruct personnel on lock-out/tag-out procedures, and 4) perform a root cause investigation.

Interviews conducted with plant workers revealed that under no circumstances would a vessel be entered without RSO supervision following lock-out/tag-out procedures. The inspector performed independent and confirmatory radiation measurements on contact with the gauges which indicated similar results as noted in the licensee's survey records.