

DEC 03 1991

MEMORANDUM FOR: John A. Grobe, Chief
Nuclear Materials Safety
and Safeguards Branch, III

FROM: John E. Glenn, Chief
Medical, Academic, and Commercial
Use Safety Branch
Division of Industrial and
Medical Nuclear Safety, NMSS

SUBJECT: TECHNICAL ASSISTANCE REQUEST: MARION MERRELL DOW,
LICENSE NUMBER 13-10064-01, CONTROL NO. 90104

This memorandum responds to a Technical Assistance Request from Region III, dated September 18, 1991, asking for guidance in Marion Merrell Dow's (Dow) request to permit disposal of byproduct material after decay-in-storage of 7 half-lives instead of 10 half-lives. The licensee stated that the request would apply to waste packages having a maximum of 100 microcuries at the time of storage.

This request should not be granted. Neither in the August 27, 1990 original request nor in the August 13, 1991 response did Dow provide sufficient technical information or demonstrate need to justify the request. The 100 microcurie limit appears arbitrary and Dow failed to provide information adequate to allow an estimate of the activity of material which might be disposed of annually. Further, the request, as worded, may be a request to dispose of material which is below regulatory concern (BRC). All decisions based on the Commission's BRC Policy are currently on hold pending final resolution of this issue.

If there are further questions, please direct them to Sally Merchant of this staff at FTS: 492-0637.

~~As~~ Signed By:
John E. Glenn, Chief
Medical, Academic, and Commercial
Use Safety Branch
Division of Industrial and
Medical Nuclear Safety, NMSS

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