



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

J-6

February 1, 2006

Docket No. 03006652
Control No. 137481

License No. 47-00260-02

J. L. Blatt
WV Operations Responsible Care Leader
Union Carbide Corporation
A Subsidiary of The Dow Chemical Company
3200 Kanawha Turnpike
South Charleston, WV 25303

SUBJECT: UNION CARBIDE CORPORATION, LICENSE RENEWAL, CONTROL NO.
137481

Dear Mr. Blatt:

This refers to your request for renewal of your NRC license. Enclosed with this letter is the renewed license. Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5239, so that we can provide appropriate corrections and answers.

Please note that we corrected the license to re-list the tritium and carbon-14 in unsealed form in the amounts previously listed in Amendment No. 47. Although you provided surveys of Building 747 and the associated storage shed, NRC inspection records dated July 12, 2000, state that unsealed materials were used in other buildings. In particular, tracer studies were performed in Building 770 and carbon-14 was used in a greenhouse in Building 741. The inspector noted that Building 741 had been removed along with contaminated soil. However, surveys were not provided to the NRC that document the levels of residual contamination of these formerly used buildings and areas. The license is corrected to list the authorized amounts of unsealed material that were on Amendment No. 47 as this material should not have been deleted from the license without proper documentation of residual levels of radioactivity.

These amounts of unsealed radioactive materials still require Financial Assurance. Currently, you have provided \$150,000 coverage for financial assurance. The prescribed value of \$150,000 was changed in 2004 to \$225,000 and the new amount was required to be provided by May 2, 2005. You must provide coverage of in the new amount as required by 10 CFR 30.35. We will open a separate licensing action to follow up on this requirement.

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The unsealed radioactive materials will remain on the license in the amounts listed until you request an amendment, and provide survey documentation and records demonstrating that residual contamination is within the NRC release criteria. Guidance for building survey documentation is found in NUREG-1757, Volume 2, Characterization, Survey, and Determination of Radiological Criteria, Appendix B, Simple Approaches for Conducting Final Radiological Surveys (enclosed). Additionally, documentation of soil surveys after contaminated soil was removed will be needed.

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NMCS/RCNI MATERIALS-002
SEPARATED OUT OF 137481
2/1/2006.

The NRC expects licensees to conduct their programs with meticulous attention to detail and high standards of safety and compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NRC requirements, you must conduct your program according to NRC regulations, the conditions of your NRC license, and the representations made in your application. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify the NRC in writing of any change in mailing address.
3. In accordance with 10 CFR 30.36(d), notify the NRC, promptly, in writing, and request termination of the license
 - a) when you decide to terminate all activities involving materials authorized under the license; or
 - b) if you decide not to acquire or possess and use authorized material.
4. Request and obtain a license amendment before you:
 - a) change Radiation Safety Officers;
 - b) order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license; or
 - c) add or change the areas of use, or addresses of use identified in the license application or on the license; or
 - d) change the name or ownership of your organization.
5. Submit a complete renewal application or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations.

You will be periodically inspected by the NRC. Failure to conduct your program safely and in accordance with NRC regulations, license conditions, and the representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, imposition of a civil penalty, or an order suspending, modifying or revoking your license.

An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14).

J. Blatt
Union Carbide Corporation

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Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Industrial, and Academic Uses of Nuclear Material**; then **Toolkit Index Page**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

Thank you for your cooperation.

Sincerely,

Original signed by Elizabeth Ullrich

Betsy Ullrich
Senior Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosures:
Amendment No. 49
Appendix B, NUREG-1557, Volume 2

cc:
Michael Boyd, Radiation Safety Officer