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Union Carbide Corporation
A Subsidiary of The Dow Chemical Company
PO Box 8361
3200/3300 Kanawha Turnpike
South Charleston, WV 25303
U.S.A.

May 9, 2006

Mr. Dennis Lawyer
Nuclear Regulatory Commission - Region 1
475 Allendale Road
King of Prussia, Pennsylvania 19406-1415

Subject: **Union Carbide Corporation**
Application for Renewal of License
Control No. 137481

J-6

47-00260-02
03006652

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REGION 1

Dear Mr. Lawyer

This correspondence is in response to your letter dated February 1, 2006 for the subject license renewal.

Specifically, Union Carbide Corporation (UCC) hereby requests that the two amendments or corrections to the issued license be removed and the requirement for increased financial assurance be waived.

UCC believes that there are no additional unsealed materials at the facility, and the license scope should be limited to the basis submitted with the renewal application we submitted. This conclusion is based on re-examination of the issues raised in the new license and subsequent telephone discussions between Mr. Lawyer of the NRC and Michael Boyd, the UCC Radiation Safety Officer.

1. With respect to the tracer studies performed in a Greenhouse in Building 741 and associated soils, UCC has radiation activity records and conducted personal interviews with the former Radiation Safety Officer, Mr. Michael Green and a former Radiation Technician, Ms. Diane Allport to investigate and verify past practices and ultimate disposal of associated soils.

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NMCS/RONI MATERIALS-002

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Based on this exhaustive search of the records and personnel interviews, UCC has concluded that appropriate evidence exists for documenting residual levels of radioactivity:

- The work performed involved tracer studies with plants utilizing C-14.
- The plants and soil were placed inside steel buckets, placed on stainless steel trays, which were on a concrete slab.
- At the conclusion of the studies, all affected soils were contained in seventeen 55-gallon drums, each with less than 0.1 microCurie. And the drums were sent to Barnwell, South Carolina for disposal.

Additionally, to clarify some of the discussions and language in a previous inspector's notes, there was no contaminated soil outside the building.

2. Regarding the Ni-63 source, we are confident it is listed inaccurately. The license identifies a 0.03 uCi MSA Electron Capture Detector, Serial number 007. We have verified that it is a foil source in a Field Ion Spectrometer (MSA, Model TD, Number 007). The device was not registered by the manufacturer, Baseline. However, the foil source was registered and transferred to Union Carbide. Baseline is owned by MSA. The foil source was manufactured by Dupont/Merck Pharmaceutical Company and is Model #NER-004. The Registry Number was NR-476-S-131-S and the current Registry Number is MA-0406-S-887-S.

Based on the aforementioned clarifications, UCC is requesting: (1) our license be amended to delete C-14 and the 0.03 uCi Ni-63 sources described above; and (2) the increased Financial Assurance be removed.

If you need additional information or clarification, please contact Mr. Michael Boyd, the Radiation Safety Officer, at 304-747-7974.

Thank you for giving us the opportunity to provide appropriate corrections and responses.

Sincerely,



J. L. Blatt
Responsible Care Leader
West Virginia Operations

This is to acknowledge the receipt of your letter/application dated

5/9/2006, and to inform you that the initial processing which includes an administrative review has been performed.

- AMEND. 47-00260-02*
There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information. *COPY PLACED IN F.A. ACTION 138833.*
- Please provide to this office within 30 days of your receipt of this card

A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 138832.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.