

March 9, 2010

MEMORANDUM TO: Docket File No. 030-04783  
The Dow Chemical Company  
License No. 21-00265-06

FROM: Geoffrey M. Warren, Health Physicist  
Materials Inspection Branch

SUBJECT: CONVERSATION RECORD – JIM WELDY AND ALLEN  
DEBACKER

I contacted Mr. Jim Weldy (989-636-1440) of The Dow Chemical Company (Dow Chemical) at 1:00 pm on March 8, 2010, concerning information he had provided to Jim Mullauer. Jim Weldy stated that Dow Chemical had been contacted by DeBacker & Sons, of 21750 Schememan Ave. in Warren, Michigan, concerning a Troxler gauge found at the DeBacker facility. DeBacker & Sons personnel had found the gauge, a Troxler Model 2402 gauge, s.n. 262, in a trailer of equipment that Dow Chemical had provided to the company approximately 25 years ago. He stated that the gauge had never been unpacked.

Dow Chemical contacted Troxler, who notified them that the gauge contained a radium-226 source. Dow is not currently authorized to possess a radium-226 gauge. Mr. Weldy stated that Dow Chemical was prepared to take financial responsibility for disposal of the gauge. He further stated that they are contacting Troxler, with the hope that Troxler can take care of the packaging, shipping, and disposal of the device. If not, Dow Chemical will look into other options for disposal of the device. Dow hopes to take care of the situation within the next couple weeks.

I contacted Mr. Allen DeBacker (586-775-8700) following my conversation with Mr. Weldy. Mr. DeBacker stated that his company, a plastering contractor, was not licensed to possess radioactive material. He stated that his company had been a subcontractor to Dow Chemical in the past, and that Dow Chemical had used the gauge to test their work. When Dow Chemical sold this part of the business to DeBacker & Sons in the mid-1980s, they transferred two trailers of equipment to the company.

DeBacker & Sons was cleaning out their building six months ago. While cleaning out one of the trailers, DeBacker & Sons personnel found the gauge, in a shipping container, in a cabinet in the trailer. They had not known that the gauge was there. They then contacted Dow Chemical to dispose of the gauge. Mr. DeBacker stated that the gauge in its container is currently secured in the locked trailer inside a locked building.

Mr. DeBacker stated that they had attempted to dispose of some of the equipment from the trailer at a metal recycling facility, and that one bracket had been refused because it was radioactive. No other materials were refused as radioactive, including materials which had been nearer the gauge than the bracket had been.

I notified Mr. DeBacker that DeBacker & Sons needs an NRC license to possess the device; however, NRC terminated the NARM waiver for the State of Michigan in August 2009. As a result, DeBacker & Sons has until August 2010 to dispose of the device or apply for a license to continue to possess it.