

TRANSMISSION VERIFICATION REPORT

TIME : 04/29/2010 15:02
NAME : USNRC RIII
FAX : 6308299782
TEL :
SER.# : 000A7J925774

DATE, TIME	04/29 15:01
FAX NO./NAME	82318454246
DURATION	00:00:54
PAGE(S)	03
RESULT	OK
MODE	STANDARD ECM

NRC FORM 386 (RIII)
(4-2004)



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 Warrenville Road, Suite 210
Lisle, Illinois 60532-4352

TELEFAX TRANSMITTAL

DATE: 04/29/2010 NUMBER OF PAGES: 3
(including this page)

SEND TO: Jim Glover, RSO

LOCATION: Occidental Chemical Corporation

FAX NUMBER: 231 - 845 - 4246 **VERIFY BY CALLING SENDER**

FROM: Jose Macatangay
(SENDER)

TELEPHONE NUMBER: 630 - 829 - 9892 FAX NUMBER: 630 - 515 - 1078

If you do not receive the complete fax transmittal, please contact the sender as soon as possible at the telephone number provided above.

MESSAGE



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MESSAGE

NOTICE

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone and return the original to the above address, by U.S. Mail. Thank you.

**MATERIALS LICENSING BRANCH
UNITED STATES NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE ROAD STE 210
LISLE, ILLINOIS 60532-4352
OFFICE: (630)-829-9892 FAX: (630) 515-1078

CONVERSATION RECORD

TIME 1:48 – 2:16PM Central DATE

ACTUALLY FAXED? Yes.

04/29/2010

NAME OF PERSON(S) CONTACTED

Jim Glover, RSO

ORGANIZATION

Occidental Chemical Corporation

TELEPHONE NO.

O: 231-845-4474

F: 231-845-4246

SUBJECT

License No.: 21-17772-01

Control No.: 318809

SUMMARY

We have reviewed your letter dated April 15, 2010, and find that we need additional information as follows:

1. **Please confirm that the individual authorized to perform non-routine operations, Jim Glover, will be physically present at these operations.**
2. **Please provide your current total inventory of fixed gauges including their activities and whether they are specifically licensed or generally licensed. Include manufacturer names and model numbers for sealed sources and gauging devices.**
3. **Please confirm that the training you received from Dow Chemical, Midland location was from an individual authorized to conduct the non-routine operations (NRO) training. We are unable to verify the instructor's qualifications. Dow Chemical has a broad scope license, and a broad scope license does not name NRO authorized users on the license document directly. Rather, its Radiation Safety Committee (RSC) evaluates and approves/disapproves NRO authorized users internally. Please provide a signed document from Dow Chemical's RSC Chairperson that the individual who provided your training in NRO was authorized to do so and when was s/he authorized to conduct that training and in which specific NRO's was the individual approved to train on.**
4. **Please provide a signed document from Dow Chemical's RSC Chairperson that the training you received on October 7, 2009, included "hands-on" practical training in the installation, relocation, alignment and removal from service of fixed gauges.**
5. **Please confirm if you were authorized under Dow Chemical's broad scope license to perform NRO in the installation, relocation, alignment and removal from service of fixed gauges. If yes, please provide the signed document from the RSC.**
6. **Please confirm that NRO to be authorized will be limited to installation, relocation, alignment and removal from service.**

7. Your letter stated, in part, "Finally, you requested a statement clarifying who I am requesting to be authorized to perform or physically supervise the installation, alignment, relocation or removal from service a source holder containing a sealed source. This would normally be myself, however in my absence it would be an assistant trained by me. Currently this would be Tim Martin, Lisa Rokosky or Todd Miller." However, we cannot authorize you to train other individuals to perform NRO under this license, i.e. "pyramid training". **We can only authorize others to perform NRO if you first submit each persons specific training and experience documentation as stated in NUREG 1556, Vol. 4, Appendix N, "Identify who will perform non-routine operations and their training and experience. Acceptable training would include manufacturer's or distributor's courses for non-routine operations or equivalent."** If you choose not to pursue this request further in the current amendment, no response is necessary at this time. Otherwise, please contact me if you choose to pursue this request.
8. Please be reminded that the radiation exposure limits in 10 CFR Part 20, especially the occupational limits, must be adhered to since you are declining to provide personnel dosimetry equipment. No response needed for this item.

We will be unable to continue processing your request until we receive this information.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this correspondence will be available electronically in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

ACTION REQUIRED

As we cannot issue an amendment at this time we are voiding this request in order to enable you to prepare a quality application without time constraints. This is done without prejudice to the resubmission of your request at a later date. Upon receipt of your response we will resume our review. Address your written response to my attention at the above address.

PLEASE NOTE THAT A "VOID" IS AN ADMINISTRATIVE PROCEDURE THAT PUTS YOUR AMENDMENT REQUEST "ON HOLD" (TAKES IT OUT OF OUR ACTIVE CASEWORK DATABASE) UNTIL YOU REACTIVATE IT VIA SUBMISSION OF A WRITTEN RESPONSE. IT "BUYS" YOU TIME TO PREPARE A QUALITY RESPONSE AND IS GENERALLY REGARDED AS A "GOOD THING."

PLEASE DIRECT ANY QUESTIONS YOU MAY HAVE TO ME AT (630) 829-9892.

	NAME OF PERSON DOCUMENTING CONVERSATION	SIGNATURE	DATE
Jose Macatangay	<i>Jose Macatangay</i>	<i>04/29/2010</i>	
1	<i>Colleen Card Casey</i>	<i>4/29/10.</i>	