



Sep 27, 2017

Materials Licensing Branch  
U.S. Nuclear Regulatory Commission, Region III  
2443 Warrenville Road, Suite 210  
Lisle, IL 60532-4352

**Withdrawal of Request for Amendment of Dow AgroSciences Broad Scope Materials License No. 13-26398-01**

Dow AgroSciences would like to withdraw its request for an amendment to increase the license limit for 14C materials submitted on Sep 15, 2017. The request was originally made to prepare for potential research that is currently not planned. At this time we are maintaining inventory of all radioisotopes below our license limits, including 14C listed below in the Table. If there is a need to request an increase of our inventory limit in the future, I will include a Decommission Funding Plan as part of that submission.

Location	Current Inventory Limit (14C)	Inventory Amount On Hand (as of 8/31/2017)	% of Limit
Site	9 Curies	7.10 Curies	78.9

Thank you for your assistance and consideration. Please don't hesitate to contact me if you have any further question or need more information.

Sincerely,

Kevin Smith  
Radiation Safety Officer  
Dow AgroSciences, LLC  
9330 Zionsville Road  
Indianapolis, IN 46268  
Work (317)337-3466  
Fax (317)337-4102  
Email: [kpsmith@dow.com](mailto:kpsmith@dow.com)

## Tran, Frank

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**From:** Smith, Kevin (KP) <KPSmith@dow.com>  
**Sent:** Thursday, September 28, 2017 8:06 PM  
**To:** Tran, Frank  
**Subject:** [External\_Sender] RE: RE: Request additional information for NRC License No. 13-26398-01 (Dow AgroSciences)  
**Attachments:** Request\_to\_withdrawal\_amendment\_DowAg.pdf

Dear Mr. Tran,

Attached is my withdrawal of amendment request. I have included my site inventory limit and amount on hand. Any future amendment request to increase our 14C limit will include a Decommission Funding Plan.

Thank you again for your attention and assistance in this matter.

Thank you,  
Kevin Smith

**From:** Tran, Frank [<mailto:Frank.Tran@nrc.gov>]  
**Sent:** Wednesday, September 27, 2017 12:26 AM  
**To:** Smith, Kevin (KP) <KPSmith@dow.com>  
**Subject:** RE: RE: Request additional information for NRC License No. 13-26398-01 (Dow AgroSciences)

Dear Mr. Smith:

Based on our policy, a withdraw application request must be signed by the applicant/licensee. Could you please put your response in form of a letter with your signature? You could scan and email the response as a pdf or image to me.

Thank you for your help,

Frank Tran

**From:** Smith, Kevin (KP) [<mailto:KPSmith@dow.com>]  
**Sent:** Tuesday, September 26, 2017 10:37 AM  
**To:** Tran, Frank <[Frank.Tran@nrc.gov](mailto:Frank.Tran@nrc.gov)>  
**Cc:** Frazier, Cassandra <[Cassandra.Frazier@nrc.gov](mailto:Cassandra.Frazier@nrc.gov)>  
**Subject:** [External\_Sender] RE: Request additional information for NRC License No. 13-26398-01 (Dow AgroSciences)

Dear Mr. Tran,

Thank you for your quick response. My apologies for any confusion the communication of my inventory may have caused. To explain, the total 14C inventory for my entire site as of 8/31/2017 was 7.10 Curies (Limit is 9. Curies). The amount listed for the research group located in Building 306, Section D2 of 6.71 Curies is part of that total amount of 7.10 Curies listed for the site. As the Radiation Safety Officer, I approve all orders of radioactive materials before they are placed. As part of that approval, I verify the current inventory on hand both for the research group and the entire site overall before allowing the order to be placed. At no time have we exceeded our license limit. Again, my apologies for the confusion in the manner in which my current inventory was presented.

Thank you for the information regarding the Decommission Funding Plan. As the request for a limit increase was in preparation for the potential increase in research and not supported or scheduled research, I withdrawal the request for

an amendment to increase my limit at this time. If a limit increase is needed in the future, I will include a Decommission Funding Plan as part of my submission.

Please don't hesitate to contact me if you have any further questions or need any additional information.

Best Regards,

**Kevin Smith**

Radiation Safety Officer, EH&S

Office: 317.337.3466 Fax: 317.337.4102

[kpsmith@dow.com](mailto:kpsmith@dow.com)

**Dow AgroSciences LLC**

9330 Zionsville Road, Indianapolis, IN 46268

[www.dowagro.com](http://www.dowagro.com)

**From:** Tran, Frank [<mailto:Frank.Tran@nrc.gov>]

**Sent:** Friday, September 22, 2017 10:48 AM

**To:** Smith, Kevin (KP) <[KPSmith@dow.com](mailto:KPSmith@dow.com)>

**Cc:** Frazier, Cassandra <[Cassandra.Frazier@nrc.gov](mailto:Cassandra.Frazier@nrc.gov)>

**Subject:** Request additional information for NRC License No. 13-26398-01 (Dow AgroSciences)

Dear Mr. Smith:

We have reviewed your license amendment request dated September 15, 2017. We will need additional information in order to complete our review.

- 1) You provided that the current inventory for carbon-14 as of August 31, 2017, was 7.10 curies at the Site and 6.71 curies at 306/D2 location. The total quantity for carbon-14 therefore was 13.81 curies. However, your license (13-26398-01) limit for carbon-14 is 9 curies (Item 8.C.). Please provide an explanation how the quantity of carbon-14 has exceeded the license limit.
- 2) You request to increase the possession limit for unsealed carbon-14 in Item 8.C. from 9 curies to 11 curies. Based on 10 CFR 30.35, you meet the criteria to maintain a decommissioning funding plan. Please provide a decommissioning funding plan in accordance with 10 CFR 30.35. You could find additional information regarding the decommissioning financial assurance in the NUREG-1757, Volume 3, "Consolidated NMSS Decommissioning Guidance - Financial Assurance, Recordkeeping, and Timeliness".

Please provide a response in writing with a proper signature by October 23, 2017. To facilitate proper mail handling in our office, please refer Mail Control No. 600946 in the cover letter. If you have any questions regarding the above, please do not hesitate to contact me at 630-829-9623 or reply to this email.

Thank you,

*Frank Tran*

Health Physicist/License Reviewer

NRC Region III/Division of Nuclear Materials Safety

Phone: 630-829-9623

Fax: 630-515-1078

Email: [Frank.Tran@nrc.gov](mailto:Frank.Tran@nrc.gov)

 U.S. NRC

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