



DCI/DCB

The Dow Chemical Company

Midland, Michigan 48674

1803 BUILDING
December 27, 1990

Mr. Roy J. Caniano, Chief
Nuclear Regulatory Commission, Region III
Nuclear Materials Safety, Section 2
799 Roosevelt Road
Glen Ellyn, IL 60137

RESPONSE TO NRC NOTED VIOLATIONS OF DOW'S 21-00265-06 LICENSE

Dear Mr. Caniano:

As a result of the inspection conducted on November 26-28, 1990, two violations were noted of The Dow Chemical Company's NRC License 21-00265-06. Each violation was given immediate attention after they were outlined at the exit interview to develop a mechanism to establish and maintain full compliance. Procedural guidelines have been instituted to avoid further violations in these areas as indicated below:

1. Violation Summary

Owners of sealed sources did not sign the Certificate Of Responsibility at semiannual intervals as specified in the license application. The lack of an established system to assure these were completed was the cause for this violation to occur.

Corrective Action

Immediate efforts were taken to get all of the most recent sealed source owner's Certificate of Responsibility forms signed and filed. In the future, radiation safety personnel will be responsible for setting a meeting date with each of the owners to cover every item on the form and answer any questions as the owner's training. Additionally, a checklist will be created listing every sealed source owner which will need to be signed and dated by radiation safety personnel after the training is complete. This checklist will be presented at the quarterly Radiation Safety Committee Meeting to demonstrate completion of this requirement. This system will avoid oversight of those owners who have not received the formal training and signed the Certificate of Responsibility. This will be effective immediately.

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2. Violation Summary

Health Physics personnel failed to perform confirmatory surveys of medium level research laboratories at the prescribed semiannual frequency as outlined in the license application. This violation was the result of an oversight of radiation safety personnel. The recent development of operations involving medium and high levels of radioactive materials did not trigger Health Physics to perform additional surveys other than the annual audit.

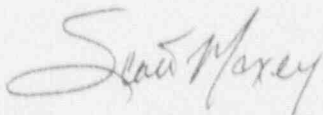
Corrective Action

A survey frequency for high (quarterly) and medium (semiannually) laboratories was immediately adopted and placed on the Health Physics's project tracking list and the "tickler file." A quarterly survey of our recently established high level laboratory operation was performed to meet this frequency schedule, and the next semiannual surveys of medium level laboratories are due in February 1991 to meet the frequency schedule.

New quarterly and semiannual Radiation Safety Audit Sheets have been developed to review specific issues for medium and high level operations. These will aid in addressing all potential radiation safety concerns in these laboratories and document Health Physics's review of all of these concerns. Additionally, Health Physics personnel will periodically review the license application to avoid oversight of other required activities, especially as new projects or operations are considered.

These corrective actions have been carried out to bring The Dow Chemical Company, Midland, Michigan, in full compliance. Please notify us immediately if this is not acceptable.

Sincerely,



S. W. Maxey
Radiation Safety Officer
Industrial Hygiene Laboratory
Health and Environmental Services
(517) 636-1536

cc: Mr. James L. Lynch, Nuclear Regulatory Commission, Region III
Dr. Larry W. Rampy, The Dow Chemical Company, 1803 Building