



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION III  
799 ROOSEVELT ROAD  
GLEN ELLYN, ILLINOIS 60127

DEC 05 1988

MEMORANDUM FOR: Charles H. Weil, Investigation and Compliance Specialist  
FROM: Bruce S. Mallett, Chief, Nuclear Materials Safety Branch  
SUBJECT: TELEPHONE CALL REGARDING 3M STATIC ELIMINATORS

As you, Gene Pawlik and I discussed on November 22, 1988, I received a telephone call from Mr. Mike Boyle, Scientific Distributors, Inc. (SDI), Norwood, Massachusetts, on that same day regarding 3M static eliminators. Mr. Boyle was calling to ask for information regarding any procedures or regulations the NRC might have to require manufacturers such as 3M to notify their customers when the manufacturer finds a problem with a distributed device. He explained that the basis for his questions was the following:

In October 1987, SDI returned a static eliminator they had leased for 12 months to 3M. On February 12, 1988, a Region I inspector came to SDI to follow up on a list of facilities 3M had identified as having leaking, returned static eliminators. (The attached memorandum dated May 2, 1988, lists SDI as a site surveyed by Region I. In addition, RIII identified a leaker returned from SDI during Region III's January 25, 1988 inspection at 3M. The device had been returned from SDI on October 17, 1986. Another leaker was on record as returned on October 19, 1987. It had been sent out on September 12, 1986.) This list was forwarded to Region I on February 3, 1988. As a result, Region I identified contamination at SDI and required them to clean it up. Mr. Boyle expressed concern that he was never informed of the leaking, returned eliminator from October 1987 - February 1988. Mr. Boyle stated that he called 3M to clean up the contamination, waste, etc., but they refused. Therefore, SDI hired a private contractor at Massachusetts Institute of Technology (MIT) to decontaminate. After MIT completed their work, Region I performed confirmatory surveys and said the decontamination was not adequate. As a result, SDI contacted 3M and had the IT Corporation, a contractor of 3M in Oak Ridge, Tennessee come and decontaminate. This was successful and Region I released the SDI facility. Mr. Boyle continued by stating that he then pursued getting 3M to pay for the damages. During this pursuit, 3M's lawyer showed Mr. Boyle a xerox copy of a handwritten note of a telephone call record dated November 1987. The copy stated 3M called and informed SDI of the leaking, returned eliminator and SDI responded with "o.k., because SDI poured corrosives on the device." There was no name on the record. Mr. Boyle stated that 3M would have had to call him since SDI is a small company and they (3M) did not.

~~EXEMPT FROM DISCLOSURE~~

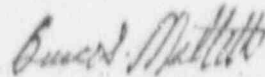
(10 CFR 2.799-(a))

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I told Mr. Boyle to please be specific in his FOIA request and he might want to request only our July 1, 1988 inspection report. I also discussed, in general, 3M's commitments in their license and the NRC February 18, 1988 Order, regarding customer notification of leakers.

A copy of SDI's subsequent letter is attached.



Bruce S. Mallett, Chief  
Nuclear Material Safety Branch

Attachments:

1. Memo dtd 05/02/88, Miller  
to RIII
2. Ltr dtd 11/23/88, SDI to  
Mallett

**EXEMPT FROM DISCLOSURE**

(10 CFR 2.790 (a))