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Sigma Chemical Company  
ATTN: Harold E. Jackson  
Radiation Safety Officer  
3050 Spruce Street  
St. Louis, MO 63103

License No. 24-16607-02  
Docket No. 030-28732

Gentlemen:

During recent NRC inspections we have learned that some NRC and agreement state licensee's authorized to distribute radioactive materials (radiochemicals) are doing so without complying with certain Department of Transportation (DOT) regulations. Specifically, we have identified licensee's that may make shipments of packages containing radiochemicals classified as a dual hazard "RADIOACTIVE/POISON" which are not properly labeled pursuant 49 CFR 172.402(a)(1) and 49 CFR 172.403(e). 49 CFR 172.402(a)(1) requires that a material classed as a radioactive material that also meets the definition of another hazard class must be labeled as required for each class. 49 CFR 172.403(e) requires that each package containing a radioactive material that also meets the definition of one or more additional hazards must be labeled as a radioactive material as required by this section and for each additional hazard. 49 CFR 173.4 provides exceptions from these labeling requirements for certain small quantities of hazardous materials including Poison B and radioactive materials if certain criteria are met. For materials that are defined as a Poison B and radioactive material the exception applies if described packaging requirements and performance standards are met and the maximum quantity of material per inner receptacle is limited to:

1. One (1) gram for authorized materials classed as Poison B or subject to the "Poison-Inhalation Hazard" shipping paper description requirements of 172.203(k)(4) and;
2. an activity level not exceeding that specified in 173.421, 173.422, or 173.424, as appropriate, for package containing radioactive material.

Since your company has been identified as one which may make shipments of materials which meet the definitions and descriptions detailed above, we are asking that you review your products and determine if any meet the dual classification described. If you have products that meet the above described classifications, please describe in writing to this office, within 30 days of the date of this letter, your procedures for shipping such materials. Please pay specific attention to package labeling procedures as they relate to the above regulations.

In accordance with 10 CFR 2.790 of the Commission's regulations, a copy of this letter and your response to this letter will be placed in the NRC Public Document Room.

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If you have any questions regarding this letter, please contact Roy Caniano of my staff at (708)790-5721.

Sincerely,

John A. Grobe, Chief  
Nuclear Materials Safety  
Branch

cc:  
DCD/DCB(RIDS)

bcc: B. J. Holt

J. Glenn, NMS&

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