



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

April 3, 2020

EA-20-016
EN 54443
NMED No. 190613 (Closed)

Mr. Derek Hetes
EHS Specialist
BASF Corporation
1609 Biddle Avenue
Wyandotte, MI 48192

SUBJECT: IR 99990003/2020001(DNMS) – BASF Corporation – Special
Inspection Report Letter

Dear Mr. Hetes:

Between December 16, 2019, and March 9, 2020, an inspector from the U.S. Nuclear Regulatory Commission (NRC) conducted an in-office review of the circumstances surrounding the improper disposal of eight generally licensed tritium (H-3) exit signs at your Wyandotte location. The NRC initiated this review after you contacted the NRC Operations Center on December 13, 2019, to report the loss of the H-3 signs, and followed that phone notification with a written report on January 9, 2020 (ML20027C613). Mr. Jason Draper of my staff presented the findings of this review to you via telephone on March 9, 2020.

During this in-office review, the NRC staff examined activities conducted under your general license related to public health and safety. Additionally, the staff examined your compliance with the Commission's rules and regulations. The in-office review consisted of interviews with personnel and examination of information provided by you to the NRC.

Based on the results of the in-office review and the information you provided, the NRC has determined that a Severity Level IV violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforcement.html>. The violation concerned the failure to properly dispose or transfer radioactive material in the generally licensed device as required by Title 10 of the *Code of Federal Regulations (CFR)* 31.5(c)(8)(i). In your written report, you determined that the root causes of the violation were the lack of visibility of the hazardous material labels and the failure to ensure that construction management, permit writers, and contractors were aware of the proper handling of the signs.

You identified these root causes in a timely fashion and took immediate corrective action to verify the status of your remaining H-3 signs. You also noted actions to improve your processes to ensure that these types of hazards and their control methods are communicated and implemented. Additionally, you indicated that you have removed and plan to properly transfer and dispose of your remaining generally licensed H-3 exit signs.

Because you identified the root cause of the violation and took timely and effective corrective actions, and because the violation was neither willful on the part of a licensee employee nor repetitive, this violation is being treated as a Non-cited Violation (NCV), consistent with Section 2.3.2.b of the Enforcement Policy. You are not required to respond to this letter unless the description herein does not accurately reflect your corrective actions or your position. In that case, or if you contest this action, you should provide your response, with the basis for your denial, to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region III, 2443 Warrenville Road, Suite 210, Lisle, IL 60532-4352.

In accordance with Title 10 of the Code of Federal Regulations 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>.

Please feel free to contact Jason Draper of my staff if you have any questions regarding this inspection. Mr. Draper can be reached at 630-829-9839.

Sincerely,

/RA by Christine A. Lipa for/

Robert Ruiz, Acting Chief
Materials Inspection Branch
Division of Nuclear Materials Safety

Docket No. 999-90003
License No. General License

cc: State of Michigan

Letter to Derek Hetes from Robert Ruiz, dated April 3, 2020.

SUBJECT: IR 99990003/2020001(DNMS) – BASF Corporation – Special Inspection Report Letter

DISTRIBUTION:

- Darrell Roberts
- John Giessner
- David Pelton
- Christine Lipa
- Paul Pelke
- Leela Sreenivas
- Juan Peralta
- Robert Sun
- Kenneth Lambert
- MIB Inspectors

ADAMS Accession Number: ML20094H297

OFFICE	RIII-DNMS	C	EICS	C	RIII-DNMS	C	RIII		RIII	
NAME	JDraper:brt via email		JCameron via email		RRuiz via email					
DATE	4/1/2020		4/1/2020		4/3/2020					

OFFICIAL RECORD COPY