

MAR 11 1988

Dosimeter Corporation
ATTN: Mr. William D. Connell
Radiation Safety Officer
11286 Grooms Road
Cincinnati, Ohio 45242-1428

Gentlemen:

This is in response to your February 26, 1988 letter requesting a relaxation of the Nuclear Regulatory Commission's (NRC's) February 18, 1988 Order Modifying General License. As described in Section II of the Order, NRC, the Agreement States, the Food and Drug Administration (FDA), and Minnesota Mining and Manufacturing Company (3M) have conducted investigations at numerous facilities at which 3M Po-210 devices have been used. These investigations have shown widespread cases of failures involving many different models of 3M Po-210 devices in many different applications. The cause of these failures is still unknown. Accordingly, NRC issued the February 18 Order requiring that general licensees immediately suspend use of the devices and return them to 3M. This Order was needed in order to reduce the potential for contamination due to failed devices.

As indicated in Section II and Paragraph C. of Section III of the Order, an exception could be granted to those general licensees whose temporary continued use of the 3M Po-210 devices was essential for workplace safety. In making this determination, the NRC recognized that production of certain products could not continue safely unless temporary continued use of 3M Po-210 devices was permitted. Continued production of such products without 3M Po-210 devices would put workers at greater risk than the risk of contamination associated with failed devices.

On the other hand, the NRC also recognized that there may be instances where product quality, as opposed to worker safety, could be adversely affected by removal of the 3M Po-210 devices. It was determined that the risk of contamination associated with failed devices outweighed the economic consequences of production delays encountered until replacements for 3M Po-210 devices could be found so that products would meet appropriate quality standards.

We understand that, if you suspend use of the 3M devices as required by the February 18 Order, your workers' safety would not be endangered during continued manufacture of your product, but the quality and/or reliability of your product may be degraded. Product quality and reliability are matters to be determined between the product manufacturer and the product purchaser.

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PDR

The NRC has determined that the potential for contamination associated with continued use of 3M Po-210 devices outweighs concerns about production delays until appropriate replacements for the 3M Po-210 devices are found.

Accordingly, your request for relaxation of the Order to permit continued use of 3M Po-210 devices is denied.

Sincerely,

(Signed) Robert M. Bernero

Robert M. Bernero, Deputy Director
Office of Nuclear Material Safety
and Safeguards

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Handwritten notes:
D. Hoffling & L. Chandler reviewed draft; their comments have been incorporated. OGC has no legal objection per L. Chandler 3-9-88 PVacca

OFC: IMAB : IMAB : IMAB : OGC : IMNS : IMNS : NMSS
NAME: PVacca/11: MALamastra: VLMiller: LChandler: GSjoblom: RECunningham : RBernero
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dosimeter

M. H. H.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

February 26, 1988

Director
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dear Sir:

Dosimeter Corporation (DCA) has received in today's mail a copy of the 3M letter of February 19, 1988, which directs us to remove our 26 3M Model 902 Nuclear Static Eliminators from service immediately and return them to 3M within 90 days. DCA would like to request a relaxation of the provisions of the order. It is impossible for us to build our primary product, Direct Reading Dosimeters, without the capability to clean parts and keep them clean through static dissipation. We ordered replacement guns from Herbert Products, Inc., of Westbury, NY on February 22, 1988 and expect delivery on or about March 31, 1988. If we cannot continue to use the 3M guns until the replacements arrive, we will be forced to suspend all Direct Reading Dosimeter production. This comprises roughly 85% of our business, and includes several sizeable contracts to deliver dosimeters to the Department of Defense.

DCA will, of course, monitor the guns closely. In point of fact, when we first learned of problems with the 3M product line on January 26, 1988, we leak tested all of our guns and surveyed their usage areas. No evidence of radioactive contamination was found. Furthermore, the guns are used in a clean, dry environment and carry a flow stream of clean, dry nitrogen whose pressure does not exceed 35 P.S.I.G.. We will continue daily surveys of the usage areas until the replacement guns are received.

Your prompt and positive response to this request will be greatly appreciated.

Very truly yours,

DOSIMETER CORPORATION

William D. Connell
William D. Connell
Radiation Safety Officer

cc: MS, TS, TPJ, DR
Assistant General Counsel for Enforcement
4666P/WC/pv

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WPP