



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
REGION I  
2100 RENAISSANCE BOULEVARD, SUITE 100  
KING OF PRUSSIA, PA 19406-2713

November 23, 2016

Docket No. 03038889

License No. 07-35285-01

Michelle Witulski  
Site Manager  
The Chemours Company F.C., LLC  
Edge Moor Plant  
104 Hay Road  
Wilmington, DE 19809

**SUBJECT: NRC INSPECTION REPORT NO. 03038889/2016001, THE CHEMOURS COMPANY F.C., LLC, EDGE MOOR PLANT, WILMINGTON, DELAWARE AND NOTICE OF VIOLATION**

Dear Ms. Witulski:

On September 27, 2016, with continuing in-office review through November 15, 2016, Dennis Lawyer of this office conducted a safety inspection at your facility. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selective examination of representative records. Additional information provided in your correspondence dated October 19 and October 27, 2016, and the telephone conversation on November 15, 2016, between Gary Brown of your organization and this office were also examined as part of the inspection. The findings of the inspection were discussed with Gary Brown of your organization at the conclusion of the inspection.

Based on the results of this inspection and in accordance with the NRC Enforcement Policy, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation involved the failure to notify the NRC within 30 days of a leaking source.

The violation is cited in the enclosed Notice of Violation (Notice), because the violation was identified by the NRC.

During our inspection exit meeting on November 15, 2016, Mr. Brown indicated that a notification of the leaking source was sent to the NRC on October 27, 2016, after Mr. Lawyer brought this issue to his attention, and that all generally licensed and specifically licensed radioactive material has been transferred. He stated that Chemours Company F.C., LLC, would notify the NRC in the future of any leaking source, and that they are committed to radiation safety and to compliance with NRC regulations and licensed conditions.

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence is already adequately addressed in our records. Therefore, you are not required to respond to this letter unless the description of your corrective actions in this letter does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC document system (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

Current NRC regulations and guidance are included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Regulations, Guidance and Communications**. The current Enforcement Policy is included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **About NRC, Organizations & Functions; Office of Enforcement; Enforcement documents**; then **Enforcement Policy (Under 'Related Information')**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web Site at: <http://www.nrc.gov/about-nrc/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

Please contact Dennis Lawyer at 610-337-5366 if you have any questions regarding this matter.

Sincerely,

**/RA T. J. Jackson for/**

Blake D. Welling, Chief  
Commercial, Industrial, R&D and  
Academic Branch  
Division of Nuclear Materials Safety

Enclosure:  
Notice of Violation

cc (w/encl.): Gary C. Brown, Radiation Safety Officer  
State of Delaware

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Blake D. Welling, Chief  
Commercial, Industrial, R&D and  
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Division of Nuclear Materials Safety

Enclosure:  
Notice of Violation

cc (w/encl.): Gary C. Brown, Radiation Safety Officer  
State of Delaware

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OFFICE	DNMS/RI	N	DNMS/RI				
NAME	DLawyer/drl		BWelling/tjj f/				
DATE	11/23/16		11/23/16				

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## **NOTICE OF VIOLATION**

The Chemours Company F.C., LLC  
Wilmington, DE

Docket No. 03038889  
License No. 07-35285-01

During an NRC inspection conducted on September 27, 2016, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 31.5(c)(5) requires, in part, upon detection of 185 bequerel (0.005 microcurie) or more removable radioactive material, that a report containing a brief description of the event and the remedial action taken be furnished to the US Nuclear Regulatory Commission within 30 days.

Contrary to the above, as of September 27, 2016, the licensee did not furnish a report within 30 days containing a brief description of the event and the remedial action taken for the detection of 185 bequerel (0.005 microcurie) or more removable radioactive material. Specifically, the licensee had received notification from a vendor on May 20, 2016, of the detection of removable radioactive material from a PMS #1215AN/3194 nickel 63 source of greater than 0.005 microcurie, and did not report it to the NRC within 30 days.

This is a Severity Level IV violation (Enforcement Policy Section 6.9).

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance will be achieved is already adequately addressed on the docket. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

If you choose to send a response, your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated This 23rd day of November 2016