



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

12/8/2017

Kelly A. Wegener
Radiation Safety Officer
Dow Corning Corporation
2200 W Salzburg Rd.
Auburn, MI 48611

SUBJECT: NRC CONSENT TO INDIRECT LICENSE TRANSFER AND AMENDMENT NO. 33

Dear Ms. Wegener:

By letter dated September 1, 2017 (ML17257A076), The Dow Chemical Company, on behalf itself and its subsidiary, Dow Corning Corporation, submitted to the U.S. Nuclear Regulatory Commission (NRC) Region III Office a Request for Consent to an indirect License Transfer of NRC Materials License No. 21-08362-08. Based on the information provided, we understand that as a result of the merger between The Dow Chemical Company and E.I. du Pont de Nemours and Company, The Dow Chemical Company would be owned by a newly formed entity, DowDuPont. However, we understand that, in spite of the transaction, The Dow Chemical Company will remain an independent legal entity, with full control of itself and its subsidiary, Dow Corning Corporation. We further understand that this transfer will not result in any change to the licensed materials, persons using the licensed material, location of use of licensed material, or persons responsible for the licensee's radiation safety program. Based on information provided, we understand that the licensee intends that all oversight of its radioactive materials program will be controlled directly by the subsidiary Dow Corning Corporation, and will not result in a name change.

Enclosed is Amendment No. 33 to your NRC Material License No. 21-08362-08-01 in accordance with letter, notifying our office of the pending transaction, and confirming that the transaction has been completed as described in that letter. Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we may provide appropriate corrections and answers.

Based on the above understandings and as more fully detailed in the enclosed NRC staff's Safety Evaluation Report which documents the NRC staff's review of the request, we have no objection to the proposed transfer. Please contact me at (630) 829-9892, or by e-mail at sara.forster@nrc.gov if you have any questions regarding this letter.

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/regulatory/enforcement/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.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Statement of Policy and Procedure for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

In accordance with Title 10 of the *Code of Federal Regulations* Section 2.390, a copy of this letter and its enclosure 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 Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,



Sara A. Forster, M.S.
Health Physicist
Materials Licensing Branch

License No. 21-08362-08
Docket No. 030-04858

- Enclosures: 1. NRC Safety Evaluation Report (SER) concerning request for consent to
Transfer of Control
2. Amendment No. 33