



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

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

JAN 28 2020

Danielle Comstock, RN
Radiation Safety Officer
Occidental Chemical Corporation
1600 S. Madison St.
Ludington, MI 49431

Dear Ms. Comstock:

Enclosed is Amendment No. 31 to your NRC Materials License No. 21-17772-01.

This amendment serves to appoint you as Radiation Safety Officer (RSO), in accordance with the request dated October 21, 2019, signed by your predecessor Randolph Sarnowski and the accompanying Delegation of Authority signed by Steven W. Jones. Please ensure that all future correspondence is signed by a management representative authorized to make legally binding commitments on behalf of your company.

As the newly appointed RSO, I recommend that you review the enclosed copy of Appendix C, "Typical Duties and Responsibilities of the Radiation Safety Officer," from the U.S. Nuclear Regulatory Commission's NUREG-1556, Volume 4, Revision 1, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Fixed Gauge Licenses."

This amendment includes updates to your license authorizations. The manufacturer/distributor name of your Model 7062BP fixed gauging device identified in Item 9, Part A, was updated from Kay-Ray Sensall, Inc., to Thermo Fisher Scientific. Similarly, an update to the manufacturer/distributor's name and model designation of your Ohmart/VEGA Corporation Model SHLG-1 was made. Item 9, Part B, now identifies your authorization for a VEGA Americas Corporation Model SHLG1-xxx.

Based on license policy, additional changes were made to your license. This includes modification to Condition 13, Part E, which was modified to remove authorization for your company to perform Leak Test Analysis. This change does not prohibit you from collecting Leak Test Samples as you have been previously authorized to do. The analysis of Leak Test Samples must be performed by persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State.

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 can provide appropriate corrections and answers.

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

The enclosed document contains sensitive security-related information.
When separated from this cover letter this letter is uncontrolled.

D. Comstock

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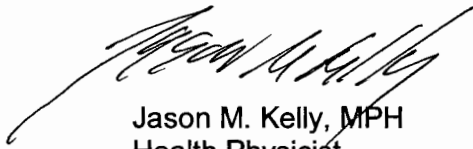
and Procedure for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

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.

NRC's Regulatory Issue Summary (RIS) 2005-31 provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through ADAMS, the NRC's electronic document system. Pursuant to NRC's RIS 2005-31 and in accordance with 10 CFR 2.390, the enclosed license document is exempt from public disclosure because its disclosure to unauthorized individuals could present a security vulnerability. The RIS may be located on the NRC Web site at: <https://www.nrc.gov/docs/ML1619/ML16196A237.pdf> and the link for frequently asked questions regarding protection of security related sensitive information may be located at: <https://www.nrc.gov/reading-rm/sensitive-info/faq.html>.

In accordance with 10 CFR 2.390 of 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 Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,



Jason M. Kelly, MPH
Health Physicist
Materials Licensing Branch

License No. 21-17772-01
Docket No. 030-13298

Enclosure: Amendment No. 31
NUREG-1556, Vol. 4, Rev. 1, Appendix C

APPENDIX C
TYPICAL DUTIES AND RESPONSIBILITIES OF THE
RADIATION SAFETY OFFICER

Enclosure

TYPICAL DUTIES AND RESPONSIBILITIES OF THE RADIATION SAFETY OFFICER

The radiation safety officer's (RSO's) duties and responsibilities (illustrated in Figure 8-2) typically include ensuring the following:

- Licensed activities that the RSO considers unsafe are stopped.
- Possession, installation, relocation, use, storage, routine maintenance, and nonroutine operations of fixed gauges are consistent with the limitations in the license, the Sealed Source and Device registration certificate(s), and the manufacturer's or distributor's recommendations and instructions.
- Individuals who use fixed gauges are properly trained.
- Radiation exposures are kept as low as is reasonably achievable (ALARA).
- Prospective evaluations are performed to demonstrate that unmonitored individuals are not likely to receive a radiation dose in excess of the limits in 10 CFR 20.1502(a) or that personnel monitoring devices are provided.
- When necessary, personnel monitoring devices are used and exchanged at the proper intervals, and records of the results of such monitoring are maintained.
- Up-to-date operating, emergency, and security procedures are developed, implemented, maintained, and distributed.
- Safety consequences of nonroutine operations are analyzed before conducting any such activities that have not been previously analyzed.
- Nonroutine operations are performed by the manufacturer, distributor, or person specifically authorized by the U.S. Nuclear Regulatory Commission (NRC) or an Agreement State.
- Documentation is maintained to demonstrate, by measurement or calculation, that the dose to the individual member of the public likely to receive the highest dose from the licensed operation does not exceed the annual limit in *Code of Federal Regulations* 10 CFR 20.1301, "Dose limits for individual members of the public."
- Fixed gauges are properly secured.
- Proper authorities are notified in case of accident, damage to, or malfunction of fixed gauges, fire, loss, or theft.
- Unusual occurrences involving the fixed gauge (e.g., malfunctions, accident, damage, theft) are investigated, cause(s) are determined, and appropriate corrective action(s) are identified, and corrective action taken.
- Audits are performed at least annually and documented, and corrective actions are taken.

- When the licensee identifies violation(s) of regulations or license conditions or program weaknesses, corrective action(s) are developed, implemented, and documented.
- Licensed material is transported in accordance with all applicable NRC and U.S. Department of Transportation requirements.
- Licensed material is disposed of properly.
- All required records are maintained.
- An up-to-date license is maintained, and amendment and renewal requests are submitted in a timely manner.
- Documents are posted as required by 10 CFR 19.11, "Posting of notices to workers," (10 CFR Part 19, license documents, operating procedures, NRC Form 3, "Notice to Employees,"), and 10 CFR 21.6, "Posting Requirements," (10 CFR Part 21 Section 206 of the Energy Reorganization Act of 1974, procedures adopted under Part 21), or a note is posted indicating where these documents can be examined.

Model Delegation of Authority to Radiation Safety Officer

Memo To: Radiation Safety Officer

From: Chief Executive Officer

Subject: Delegation of Authority

You, _____, have been appointed radiation safety officer and are responsible for ensuring the safe use of radiation. You are responsible for managing the Radiation Protection Program; identifying radiation protection problems; initiating, recommending, or providing corrective actions; verifying implementation of corrective actions; stopping unsafe activities; and ensuring compliance with regulations. You are hereby delegated the authority necessary to meet those responsibilities, including prohibiting the use of byproduct material by employees who do not meet the necessary requirements and shutting down operations, when justified, to maintain radiation safety. You are required to notify management if staff does not cooperate and does not address radiation safety issues. In addition, you are free to raise issues with the U.S. Nuclear Regulatory Commission at any time. It is estimated that you will spend _____ hours per week conducting radiation protection activities.

Signature of Management Representative

Date

I accept the above responsibilities,

Signature of Radiation Safety Officer

Date

cc: Affected department heads