



The Dow Chemical Company
Midland, Michigan 48667

January 13, 2012

Mr. Geoffrey Wertz
Research and Test Reactors Licensing Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Subject: The Dow Chemical Company- License No. R-108; Docket No. 50-264

Enclosed is a revised response for the July 11, 2011 NRC letter "REQUEST FOR ADDITIONAL INFORMATION REGARDING FINANCIAL QUALIFICATIONS FOR THE DOW CHEMICAL COMPANY TRIGA RESEARCH REACTOR LICENSE RENEWAL (TAC NO.ME1595)" submitted in support of the license renewal.

This submission contains Attachment 1 and Attachment 2 that are being submitted with the designation "Withhold from public disclosure under 10 CFR 2.390" as they contain confidential commercial information.

Should you have any questions or need additional information, please contact the Facility Director, Paul O'Connor, at 989-638-6185.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 13, 2012

Paul O'Connor, Ph.D.
Director
Dow TRIGA Research Reactor

Subscribed and sworn to before me this 13 day of January, 2012

Notary Public
Midland County, Michigan
My Commission Expires:

May 13, 2012

Judy Lynn Raymond
NOTARY PUBLIC, MIDLAND COUNTY, MICHIGAN
MY COMMISSION EXPIRES MAY 13, 2012

cc: Wayde Konze, R&D Director - Analytical Sciences
Toby Threet, Counsel - Legal
Siaka Yusuf, Reactor Supervisor

A020

RAI 2: Foreign ownership, control, or domination:

Sections 103d and 104d of the Act provide, in relevant part, that: No license may be issued to any corporation or other entity if the Commission knows or has reason to believe it is owned, controlled, or dominated by an alien, a foreign corporation or a foreign government. In any event, no license may be issued to any person within the United States if, in the opinion of the Commission, the issue of a license to such person would be inimical to the common defense and security or to the health and safety of the public. Section 50.38 of 10 CFR implements this statutory prohibition.

DTRR Response to RAI 2a:

A teleconference was held on October 24, 2011 between The Dow Chemical Company and NRC personnel. Present for Dow Chemical were Paul O'Connor (DTRR Facility Director) and Toby Threet (Attorney). Present for NRC were: Walt Meyer, Renewal Project Manager; Jo Ann Simpson, Financial Analysis Branch; Geoffrey Wertz, Research and Test Reactors Licensing Branch and Tom Fredrichs, Financial Analysis Branch. In this teleconference it was agreed that a The Dow Chemical Company Board of Directors Resolution addressing the DTRR "Negation plan" would be executed and submitted to the NRC in response to RAI 2a.

A resolution titled "Assignment of Responsibility for Research Nuclear Reactor and its Special Nuclear Materials" was adopted on December 15, 2011 at a meeting of the Board of Directors of The Dow Chemical Company held at the offices of the Company in Midland, Michigan at which a quorum of the Board of Directors was present. The adopted resolution is in full force and effect.

Pertinent content of the resolution is listed below:

- 1. "Exclusive executive authority over the nuclear reactor and its special nuclear materials is hereby vested in the Vice-President over Research and Development, so long as such person is a citizen of the United States of America. Currently this is William Banholzer, Executive Vice-President, a citizen of the United States of America.*
- 2. If at any time the Vice-President over Research and Development is not a citizen of the United States of America, then at such time the exclusive executive authority over the nuclear reactor and its special nuclear materials will be transferred to an executive of at least the rank of Vice-President who is a citizen of the United States of America.*
- 3. If at any time, action by the Board of Directors is necessary for any matter involving the nuclear reactor and/or its special nuclear materials, only directors who are citizens of the United States of*

America may participate in deliberations or decisions, or have a vote, concerning such action.

4. *This Unanimous Consent resolution applies to all current and future officers and directors of The Dow Chemical Company, so long as the Company continues to own and/or operate the referenced nuclear reactor and/or its special nuclear materials.*
5. *Nothing herein shall require any decision to be made at Executive or Board levels if action at that level is not otherwise required by applicable Company policies, including but not limited to the Authorization Policy.*

The full Certified Resolution is submitted with this response as Attachment 1 with the designation "Withhold from public disclosure under 10 CFR 2.390" as it contains confidential commercial information. In addition NRC requested that Dow submit a current list of members of The Dow Chemical Company Board of Directors.

The members of the Board of Directors on December 15, 2011 are listed below:

Name/Address	Title	Nationality
Arnold A. Allemang The Dow Chemical Company 2030 Dow Center Midland, MI 48674 989-636-1000	Director	United States
Jacqueline K. Barton The Dow Chemical Company 2030 Dow Center Midland, MI 48674 989-636-1000	Director	United States
James A. Bell The Dow Chemical Company 2030 Dow Center Midland, MI 48674 989-636-1000	Director	United States
Jeff M. Fettig The Dow Chemical Company 2030 Dow Center Midland, MI 48674 989-636-1000	Director	United States
Barbara H. Franklin The Dow Chemical Company 2030 Dow Center Midland, MI 48674 989-636-1000	Director	United States
John B. Hess The Dow Chemical Company 2030 Dow Center Midland, MI 48674 989-636-1000	Director	United States
Andrew N. Liveris The Dow Chemical Company 2030 Dow Center Midland, MI 48674 989-636-1000	Director and President, Chief Executive Officer and Chairman	Australia
Paul Polman The Dow Chemical Company 2030 Dow Center Midland, MI 48674 989-636-1000	Director	Netherlands
Dennis H. Reilley The Dow Chemical Company 2030 Dow Center Midland, MI 48674 989-636-1000	Director	United States
James M. Ringler The Dow Chemical Company 2030 Dow Center Midland, MI 48674 989-636-1000	Director	United States
Ruth G. Shaw The Dow Chemical Company 2030 Dow Center Midland, MI 48674 989-636-1000	Director	United States
Paul G. Stern The Dow Chemical Company 2030 Dow Center Midland, MI 48674 989-636-1000	Director	United States