



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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

OCT 15 2019

Kyle Foli
Safety & Training Programs Team Leader
Hoosier Energy REC, Inc.
PO Box 908
Bloomington, IN 47402-0908

Dear Mr. Wilson:

This letter is in reference to the request dated September 23, 2019, signed by Eric A. Wilson, Radiation Safety Officer, for your appointment as Radiation Safety Officer for Radioactive Material License #13-18945-01. Upon review of the request, I identified the following areas requiring additional or clarifying information:

In support of your appointment as 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."

With your response to this letter, include a statement affirming that you commit to performing the duties described in the above-mentioned Appendix D or include your own equivalent listing of Duties and Responsibilities of the Radiation Safety Officer.

For your reference, the program specific guidance for your license is NUREG-1556, Volume 4, Rev. 1 dated July 2016. This guidance is available on the NRC Web site at: <https://www.nrc.gov/docs/ML1618/ML16188A048.pdf>

To continue the review of your amendment request, please submit a written response to this letter by November 11, 2019. Your response must be dated and signed by a licensee's representative and please reference Mail Control Number 615402 in the response. To expedite the licensing process, you may fax your response to (630) 515-1078. If you have any questions or require clarification on any of the information stated above, please do not hesitate to contact me at (630) 829-9737 or Jason.Kelly@nrc.gov.

In accordance with Title 10 of the *Code of Federal Regulations* Section 2.390 of the U.S. Nuclear Regulatory Commission's (NRC) "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,

A handwritten signature in black ink, appearing to read "Jason M. Kelly", written over a horizontal line.

Jason M Kelly, MPH
Health Physicist
Materials Licensing Branch

License No. 13-18945-01
Docket No. 030-17387

APPENDIX C

TYPICAL DUTIES AND RESPONSIBILITIES OF THE RADIATION SAFETY OFFICER

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