



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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

DEC 20 2019

Kyle Foli
Radiation Safety Officer
Hoosier Energy REC, Inc.
P.O. Box 908
Bloomington, IN 47402-0908

Dear Mr. Foli:

Enclosed is Amendment No. 13 to your NRC Materials License No. 13-18945-01 in accordance with your request.

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.

This also refers to your email dated December 6, 2019, and your letter dated December 16, 2019, which described the number of each manufacturer's sealed sources and gauging devices to be specified in Subitem Nos. 6, 7, 8 and 9 of the license. Your license has been prepared in accordance with the information in this correspondence.

If our understanding as expressed on the license differs from yours in any way, please contact us immediately by calling me at (630) 829-9737 or email me at Jason.kelly@nrc.gov.

In accordance with your letter dated December 16, 2019, we continued your authorization for the Thermo Process Instruments, LP, Model 5190 fixed gauging devices.

Your license has been prepared in our Web-Based Licensing (WBL) system. Subitem Nos. 6, 7, 8 and 9 were changed for the new format. Additional changes were made to conform with WBL and to update your license, including:

1. Updates to Condition No. 13;
2. Updates to Condition No. 16;
3. The deletion of Condition No. 24, as it appeared on Amendment No. 12, in favor of referring to 10 CFR Part 71 in the Preamble language at the top of page 1 of your license; and,
4. The addition of NRC's Agencywide Documents Access and Management System (ADAMS) accession numbers to each of the documents listed in Condition No. 24, which was renumbered from Condition No. 25, after the change discussed in item 3 above.

For future reference, please note that the NRC issues the license to the owner and/or senior management for each licensee. This means that outgoing RSOs and new, incoming proposed RSOs who do not have current standing with us should not be signing amendment requests or RFAI response letters.

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

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An applicant's or licensee's legal representative, administrative assistant, outside consultant, etc. will not suffice as a certifying officer.

If a certifying officer/management representative signs an "initial" licensing request that names someone else as a "point of contact," then the designated point of contact may be the sole signatory for any written responses related to that initial licensing request only, unless the NRC reviewer requests otherwise.

All subsequent "initial" licensing requests must then be signed appropriately.

Please be reminded that 10 CFR 30.32(a) and (c) require:

"(a) A person may file an application on NRC Form 313, "Application for Material License," in accordance with the instructions in § 30.6 of this chapter." And,

"(c) Each application shall be signed by the applicant or licensee or a person duly authorized to act for and on his behalf."

Please note that the NRC Form 313 requires the typed or printed name and signature of a certifying officer. The NRC Form 313 can be found at:

<http://www.nrc.gov/reading-rm/doc-collections/forms/nrc313.pdf>

Preparing your amendment requests carefully and in accordance with NRC's regulatory requirements and guidance, especially the documents in the NUREG 1556 series, as well as other information on our website at <http://www.nrc.gov>, will help ensure that your correspondence is complete and accurate in all material respects, as 10 CFR 30.9(a) requires it to be.

Please include the name of at least one knowledgeable contact person who is familiar with your new license application or amendment request, his or her direct telephone number, and the best fax number to transmit the completed amendment to you. A business email address for the contact person may also be helpful in many circumstances.

Please address all initial licensing correspondence to: "ATTN: Materials Licensing Branch Chief" at the address shown below, unless you are directed to a specific, named reviewer for the immediate situation only.

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

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licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

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>.

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.

Sincerely,



Colleen Carol Casey for
Jason M. Kelly, MPH
Health Physicist
Materials Licensing Branch

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

Enclosure: Amendment No. 13