



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

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

May 29, 2020

Fred Schuman
Radiation Safety Officer
Mid River Asphalt, Inc.
511 John Deere Lane
Troy, MO 63379

Dear Mr. Schuman:

Enclosed is Amendment No. 1 renewing your NRC Materials License No. 24-32768-01 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.

Please note that this amendment renews your license for a 15-year period and your license will not expire until May 31, 2035.

Items 5, 6, 7 and 8, were updated to restrict your possession to a total of two Seaman Nuclear Corporation Model C-300 Series portable gauging devices as indicated in your license application.

This amendment has also removed Condition Nos. 13, 20 and 21, as they appeared on your original license dated January 27, 2010.

The requirements in Condition No. 13 are already captured by the terms of the license and by 10 CFR 30.35(d).

Condition No. 20 is not routinely listed on portable gauges licenses unless the applicant/licensee describes potentially using the gauge and extending the source rod more than 3 feet below the surface.

Condition No. 21 was deleted in favor of adding reference to 10 CFR Part 71 to the preamble language listed at the top of page one of your license.

In concluding our review of your renewal application, we noted an incomplete commitment in your "Delegation of Authority" dated May 21, 2020, that must still be addressed.

The minimum number of hours that the Radiation Safety Officer (RSO) will be expected to spend per week conducting radiation protection activities was left blank.

Within 30 days of the date of this letter, by July 1, 2020, please provide a written, currently dated and signed (by senior management) response that includes a completely filled in "Delegation of Authority (DoA)."

Your revised DoA must be accompanied by a currently dated, signed, business style letter that identifies your license completely, is addressed to my attention at the address above and references it as "additional information to control number 617139."

If you have any questions concerning these changes or this amendment you may contact me directly at either (630) 829-9737 or at jason.kelly@nrc.gov.

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.

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.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," 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,

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

License No. 24-32768-01
Docket No. 030-38161

Enclosure: Amendment No. 1