



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

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

June 25, 2021

Alan Pancake
Radiation Safety Officer
Peabody Midwest Mining, LLC
566 Dickeyville Rd.
Lynnville, IN 47619

SUBJECT: AMENDMENT NO. 14 TO RADIOACTIVE MATERIALS LICENSE FOR PEABODY
MIDWEST MINING, LLC, NRC LICENSE NO. 13-26785-01

Dear Mr. Pancake:

Enclosed is Amendment No. 14 to your U.S. Nuclear Regulatory Commission (NRC) Materials License No. 13-26785-01 in accordance with the April 8, 2021 and April 28, 2021 requests.

In accordance with these requests, this amendment includes the following changes to your license:

- removal of authorization for the SABIA, Inc., Model XC-Series-25 materials analyzer; and
- removal of authorization for the Somerville Central Preparation Plant.

The requests are available electronically from the Agencywide Documents Access and Management System (ADAMS) at Accession No. ML21099A026 and ML21118A817.

The above referenced requests identified that all licensed radioactive materials associated with your licensed operations at the Somerville Central Preparation Plant, located at 6280 S. County Road 1025 East, Oakland City, Indiana, have been appropriately transferred for disposal. Documentation of the transfer/disposal of radioactive materials was reviewed.

Based on this review, it appears that all licensable radioactive material has been removed from the facility and residual radioactive material attributable to licensed activities does not exceed current NRC criteria. Based on this conclusion, your Somerville Central Preparation Plant facility is suitable for release to unrestricted use.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, you may notify the U.S. NRC Region III office at (630) 829-9887 so that appropriate corrections and answers may be provided. You may also contact me directly at (630) 829-9737 or Jason.Kelly@nrc.gov.

An environmental assessment for this action is not required because this action is categorically excluded under Title 10 of the *Code of Federal Regulations* (CFR) Section 51.22(c).

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 NRC Enforcement Policy. 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 that 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 <https://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. You are strongly encouraged 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 and Procedure," 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 ADAMS, accessible from the NRC Web site at <https://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

Jason M. Kelly, MPH
Health Physicist
Materials Licensing Branch

Docket No.: 030-34405
License No.: 13-26785-01
Control No.: 625347

Enclosure: Amendment No. 14 to NRC License No. 13-26785-01