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January 05, 2009

Jenny Johansen
United States Nuclear Regulatory Commission
Region 1
475 Allendale Road
King of Prussia, Pennsylvania 19406-1415

RECEIVED
REGION 1
2009 JAN - 8 AM 10: 49

RE: Midland Trail Energy LLC
Notification of RSO Change
License No. 47-31315-01
03037777

Dear Mrs. Johansen:

Midland Trail Energy LLC is writing to inform you that Larry Taylor, our current RSO, will be leaving the company to pursue other employment. Randy McClaugherty, our plant foreman, shall be the new RSO. Randy successfully completed an RSO training class in October. Should you have any questions or concerns please, do not hesitate to call me at 304-380-0403.

Best regards,

Jeffery D. Bitzer
General Manager
Midland Trail Energy LLC

143134



CERTIFICATE OF RADIOLOGICAL TRAINING

This is to certify that

Randy McClaugherty

has successfully completed the

**24-HOUR RADIATION SAFETY OFFICER TRAINING
COURSE AND INSTRUCTION AS REQUIRED BY
NUREG-1556, VOLUME 4, APPENDIX G**

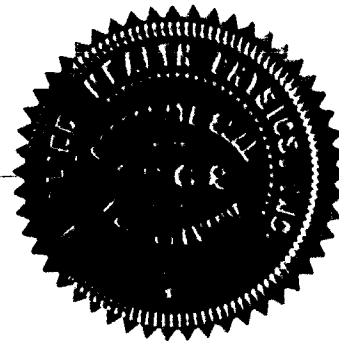
*presented by Applied Health Physics, Inc.
September 29th through October 1st, 2008*



Todd Y. Mobley
Director, Technical Services

October 1, 2008

Date



ITEM 5&6 of NRC FORM 313

Radioisotope	Manufacturer or Distributor Model No.	Quantity	Use As Listed On SSD Certificate	Specify other Uses not Listed on SSD Certificate	
Cesium-137	Sealed Source manufacturer or distributor and model number: Thermo MeasureTech 696894 (5201)	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes [X] Specific description of the gauge use: Gamma gauge use to provide a safe method of making density measurements for coal processing	[X] Not applicable	
	Device manufacture or distributor and model number: Thermo MeasureTech, Model 5201				
Cesium-137	Sealed Source manufacturer or distributor and model number: Thermo MeasureTech 57157C or 696894 (5201A)	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes [X] Specific description of the gauge use: Gamma gauge use to provide a safe method of making density measurements for coal processing	[X] Not applicable	
	Device manufacture or distributor and model number: Thermo MeasureTech Model 5201A				
7. Individual(s) Responsible For Radiation Safety Program and Their Training and Experience	Item 7 of NRC FORM 313 Before obtaining licensed materials, the proposed RSO will have successfully completed the training described in Criteria in the section entitled "Individual(s) Responsible for Radiation Safety Program and Their Training and Experience -Radiation Safety Officer" in NUREG-1556, Vol.4 dated October 1998 and before being named as RSO, future RSOs will have successfully completed the training described in Criteria in the section entitled "Individual(s) Responsible for Radiation Safety Program and Their Training and Experience-Radation Safety Officer" in NUREG-1556, Vol. 4, dated October 1998. Within 30 days of naming a new RSO, we will submit the new RSO's name to include in our license.			Yes [X]	Alternative Procedures Not Applicable

7.1 Radiation Safety Officer will be Randy McClaugherty	Before obtaining licensed materials, the proposed RSO will have successfully completed the training described in Criteria in the section entitled "Individual(s) Responsible for Radiation Safety Program and Their Training and Experience -Radiation Safety Officer" in NUREG-1556, Vol.4 dated October 1998 and before being named as RSO, future RSOs will have successfully completed the training described in Criteria in the section entitled "Individual(s) Responsible for Radiation Safety Program and Their Training and Experience-Radation Safety Officer" in NUREG-1556, Vol. 4, dated October 1998. Within 30 days of naming a new RSO, we will submit the new RSO's name to include in our license.	Yes [X]	Alternative Procedures Not Applicable
7.2 Authorized Users	Before using licensed materials, authorized users will have successfully completed the training described in Criteria in the section entitled, " Authorized Users" in NUREG-1556, Vol.4, dated October 1998.	Yes [X]	Alternative Procedures Not Applicable
9 Facilities And Equipment	We will ensure that the location of each fixed gauge meets the Criteria in the section entitled "Facilities and Equipment" in NUREG-1556, VOL. 4, dated October 1998	Yes [X]	Alternative Procedures Not Applicable
10 Radiation Safety Program Survey Instruments	We will use instruments that meet the Criteria in the section entitled " Radiation Safety Program-Instruments," in NUREG-1556, Vol. 4, dated August 1998 and each survey meter will be calibrated by the manufacturer or other person authorized by the NRC or an Agreement State to perform survey meter calibrations.	Yes [X]	Alternative Procedures Not Applicable
10 Radiation Safety Program Material Receipt and Accountability	Physical inventories will be conducted at intervals not to exceed 6 months or at other intervals approved by the NRC, to account for all sealed sources and devices received and possessed under the license.	Yes [X]	Alternative Procedures Not Applicable

10 Radiation Safety Program Occupational Dosimetry	We will perform a prospective evaluation demonstrating that an inmonitored individuals are not likely to receive, in one year, a radiation dose in excess of 10% of the allowable limits in 10 CFR Part 20 or we will provide dosimetry that meets the Criteria in the section entitled " radiation Safety Program-Occupational Dosimetry," in NUREG-1556, Vol.4, dated October 1998.	Yes [X]	Alternative Procedures Not Applicable
10 Radiation Safety Program Operating & Emergency Procudures	Operating and emercency procudures will be developed,implemented,maintained,and didtributed, and will meet the Criteria in the section entitled "Radiation Safety Program-Operating emergency Procedures,"in NUREG 1556,Vol.4, dated August 1998.	Yes [X]	Alternative Procedures Not Applicable
10 Radiation Safety Program Leak Test	Leak tests will be performed at intervals approved by the NRC or an Agreement State and specified in the Sealed Source and Device Registration Certificate. Leak test will be performed by an organizatrion authorized by NRC or an Agreement State to provide leak testing services for other licensees or using a leak test kit supplied by an organization authorized by NRC or an Agreement State to provide leak test kits to other licensees and according to the kit supplier's instruction.	Yes [X]	Alternative Procedures Not Applicable
10 Radiation Safety Program Maintenance	<u>ROUTINE MAINTENANCE</u> We will implement and maintain procedures for routine maintenance of our fixed gauges according to each manufactures's or distributor's written recommendations and instruction.	Yes [X]	Alternative Procedures Not Applicable
10 Radiation Safety Program Fixed Gauges Used At Tempory Job Sites.	This is not applicable to our program. We will not use fixed gauges at temporary job sites.	Not Applicable	

This is to acknowledge the receipt of your letter/application dated

1/5/2009, and to inform you that the initial processing which includes an administrative review has been performed.

AMEND 47-31315-01 There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

Please provide to this office within 30 days of your receipt of this card

A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 143134.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.

NRC FORM 532 (RI)
(6-96)

Sincerely,
Licensing Assistance Team Leader