

511 JOHN DEERE LANE  
TROY, MO 63379  
(636) 356-4434  
FAX (636) 356-4307

December 3, 2009

United States Nuclear Regulatory  
Material Licensing Branch – Region III  
2443 Warrenville Rd., Ste 210  
Lisle, IL 60532-4352

Dear Mr. Macatangay,

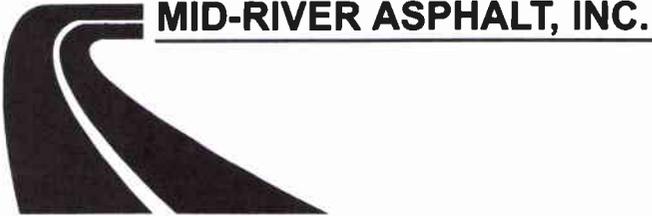
In response to your request for clarification on item 5, Mid River Asphalt, Inc. has no plans, in the future, to acquire another nuclear machine of any kind. Also, our intentions are not to rent or lease any nuclear machines; we will hire a company if circumstances require another machine.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred Schuman", is written over a light gray circular stamp.

Fred Schuman  
Radiation Safety Officer

RECEIVED DEC 08 2009



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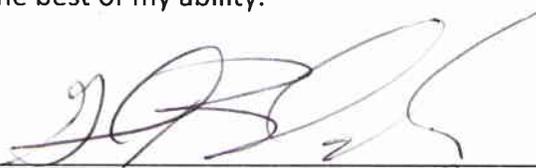
December 3, 2009

Memo To: Radiation Safety Officer

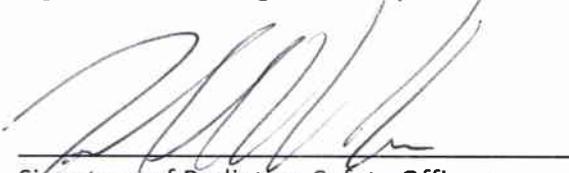
From: President

Subject: Delegation of Authority

You, Fred Schuman, 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 where 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 Nuclear Regulatory Commission at any time. I will carry out these responsibilities to the best of my ability.

  
\_\_\_\_\_  
Signature of Management Representative

12-4-09  
Date

  
\_\_\_\_\_  
Signature of Radiation Safety Officer

12-4-09  
Date

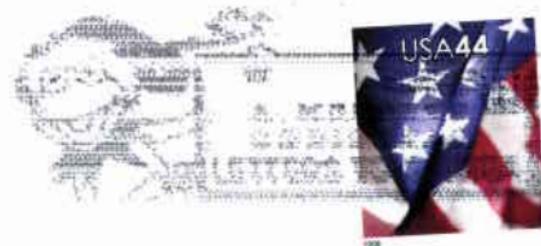


**MID RIVER ASPHALT, INC.**

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