UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
612 EAST LAMAR BLVD, SUITE 400
ARLINGTON, TEXAS 76011-4125

March 16, 2011

Dakota Coal Company
Wyoming Lime Producers
ATTN: Randall Banning
Plant Manager
P.O. Box 5540
Bismarck, North Dakota 58506-5540

SUBJECT: TERMINATION OF NRC RADIOACTIVE MATERIALS LICENSE NO. 33-27444-01

By letter dated December 21, 2010, you informed the U.S. Nuclear Regulatory Commission (NRC) that you wished to terminate your NRC radioactive materials license. The NRC Form 314 dated December 21, 2010, stated that all radioactive material had been return to the original manufacturer, Thermo Process Instruments, L.P.

The supporting documentation to the NRC Form 314 also provided a copy of the latest leak test results. The leak test results document that there was no evidence of leakage of radioactive material from the sealed source. The NRC staff has reviewed the supporting documentation to your NRC Form 314. Based on the documentation submitted and a review of your historical file, the staff concluded that all licensable radioactive material has been removed from the facility at 1600 East Interstate Avenue, Bismarck, North Dakota, is suitable for unrestricted use in accordance with 10 CFR 20.1402, "Radiological Criteria for Unrestricted Use." Based on these conclusions, no further remediation or actions with respect to NRC regulated material is required.

Please find enclosed Amendment No. 3 to License No. 33-27444-01, authorizing your license termination. An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(20)(ii).

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 document system (ADAMS). ADAMS is accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html.

If you have questions or require clarification on any of the information stated above, please contact me at 817-276-6590

Sincerely,

/RA/

Michelle Simmons, Health Physicist
Nuclear Materials Safety, Branch B

Docket: 030-32878
License: 33-27444-01
Control: 574206
Enclosure: As stated