



COLLEGE OF SCIENCES AND HUMANITIES  
DEPARTMENT OF PHYSICS AND ASTRONOMY

Muncie, Indiana 47306-0505  
Phone: 765-285-8860

ATTN: Tammy Tomczak, Licensing Assistant  
Material Licensing Branch  
U. S. Nuclear Regulatory Commission, Region III  
2443 Warrenville Road, Suite 210  
Lisle, IL 60532-4352

February 19, 2016

Re: Revisions to 2015 Fee Rule  
License No. 13-06231-01

Dear Ms. Tomczak:

I received a letter from Ms. Patricia Pelke with regard to the revision of Title 10 of the code of Federal Regulations Sections 170.31, "Schedule of Fees for Materials Licenses and Other Regulatory Services, Including Inspections and Import and Export Licenses." I am writing this letter to address questions regarding location and address of use of radioactive materials under the license of Ball State University, Indiana (License No. 13-06231-01). A copy of the letter from Ms. Pelke along with a guidance sheet are attached for your information.

Based on information provided in the guidance sheet (#2 under "Locations of Use Licensing Guidance" for the campus), Ball State University license falls under **single location** category.

The location of use currently listed on our license (Condition No. 10) is accurate.

Please let me know if any further information is necessary.

Sincerely,

Mohammed Islam  
Radiation Safety Officer  
[mislam@bsu.edu](mailto:mislam@bsu.edu)  
765 285 8066

RECEIVED FEB 29 2016



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

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

FEB 08 2016

Mohammed Islam, Ph.D.  
Radiation Safety Officer  
Ball State University  
2000 West University Avenue  
Muncie, IN 47306

SUBJECT: REVISIONS TO 2015 FEE RULE

Dear Dr. Islam:

On June 30, 2015, the U.S. Nuclear Regulatory Commission revised Title 10 of the *Code of Federal Regulations* Sections 170.31, "Schedule of Fees for Materials Licenses and Other Regulatory Services, Including Inspections and Import and Export Licenses" and paragraph (d) of 171.16, "Annual Fees: Materials Licensees" (hereafter, 2015 Fee Rule). As a result, new program codes have been developed for academic and/or research & development broad scope licenses with six or more locations of use. Based on our review, we have determined that you may be affected by the 2015 Fee Rule.

Please review the Location of Use condition (typically Condition No. 10) on your license and confirm that each location meets the definition described in the attached guidance.

**Based on definitions described in the attached guidance, determine the locations of use to be listed on your license and provide the following information:**

- (1) Identify the address of each "location of use" to be listed on your license and the total number of locations of use; AND
- (2) Confirm that locations of use currently listed on your license are accurate and no changes are necessary; OR
- (3) If the locations of use currently listed on your license are not accurate and need to be revised, please submit the new information regarding each location of use. Summarize the change(s) necessary and submit updated address information and facility diagram(s). If the facility diagrams were previously submitted, provide the date of the relevant letter or application which contains the facility diagram. Your license will be amended accordingly based on the information you provide.

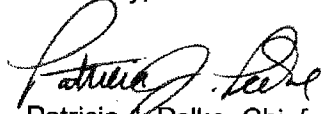
Please send your signed and dated response, **within 45 days of the date of this letter**, to the: U.S. Nuclear Regulatory Commission, Region III, ATTN: Tammy Tomczak, Licensing Assistant, Materials Licensing Branch, 2443 Warrenville Road, Suite 210, Lisle, IL 60532-4352. Alternatively, you may submit your signed response as a pdf file attached to an email to [tammy.tomczak@nrc.gov](mailto:tammy.tomczak@nrc.gov). If you have any questions concerning this request please contact Ms. Tomczak at (630) 829-9564. You may also contact Ms. Sara Forster at (630) 829-9892 or Mr. Frank Tran at (630) 829-9623 with any questions regarding this letter.

M. Islam

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In accordance with 10 CFR 2.390, 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,



Patricia S. Pelke, Chief  
Materials Licensing Branch  
Division of Nuclear Materials Safety

License No. 13-06231-01  
Docket No. 030-00700

Enclosure:  
Location of Use Licensing Guidance

## Location of Use Licensing Guidance

### Locations of Use

"Locations of Use" for the affected broad scope licenses are:

1. An individual building or facility at one address.
2. A contiguous licensee-controlled geographic area, such as a campus or licensee-owned/operated/controlled business campus or park, is considered a single "location of use" and only one address is listed on the license. Sites that are not contiguous but are located in separate parts of a city, different city or state, are separate "locations of use" and separate addresses are listed on the license.
3. A temporary job site is not a "location of use." In addition, use of licensed materials at sea or on board a ship may be a separate location, specifically listed on the license, if it is a permanent job site. If use at sea is not a permanent location but is a temporary job site, then it is not a separate location and its address will not be listed on the license.

### Physical Addresses

The address of each "location of use" must be listed on the license, with exception of Federal Facilities as described below. It is acceptable to list the address as "... [insert name of the R&D broad scope licensee or academic broad scope licensee] campus [insert physical address – street number and name, city, state]..." if it is a contiguous licensee-controlled geographic area.

### Federal Facilities that Use/Store Materials at Any of Their Locations in the U.S.

Licensees such as the U.S. Army or the U.S. Department of Agriculture that request the flexibility to use or store licensed materials at any of their locations in the United States would be considered to have more than 20 locations. These locations do not have to be listed individually on the license. However, these locations must be tracked by the licensee and the list of locations must be available for inspection. The locations of use condition on the license should include, for example, that the licensee "...may use or store material at any Department of Defense installation..." or other appropriate description.



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**FROM:**

Dept of Physics and Astronomy



B A L L S T A T E  
U N I V E R S I T Y.  
Muncie, IN 47306

ATTN: Tammy Tomczak, Licensing Assistant  
Material Licensing Branch  
US Nuclear Regulatory Commission, Region III  
2443 Warrenville Road, Suite 210  
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