



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

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

Terry M. Dowell  
Radiation Safety Officer  
Sunrise Coal, LLC  
Carlisle Mine  
14421 N. 200 E.  
Carlisle, IN 47838

SEP 11 2017

Dear Mr. Dowell:

Enclosed is Amendment No. 3 to your NRC Material License No. 13-35059-01 in accordance with your request. Please note that the format of your license has been updated due to changes with our licensing process.

Please note that Items 6-9 on your license have been updated in accordance with the information provided and the applicable Sealed Sources and Devices Registries.

Additionally, a number of conditions on your license have been updated as well. Specifically, Condition 11 has been updated to include the requirement that authorized users be designated in writing by the Radiation Safety Officer. Condition 13 regarding leak tests has been updated in accordance with NRC policy. Condition 15 has been updated to the requirement that records of physical inventories be kept for three years. Condition 16 B. has been updated to include the requirement that records of shutter and indicator tests be kept for three years. Lastly, Condition 24, as described in License Amendment No. 2, regarding Transportation requirements has been removed as these requirements are fully contained within the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

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 General Statement of Policy and Procedure for NRC Enforcement Actions. 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 which 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 <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. We strongly encourage you 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.

NRC's Regulatory Issue Summary (RIS) 2005-31 provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through ADAMS, the NRC's electronic document system. Pursuant to NRC's RIS 2005-31 and in accordance with 10 Code of Federal Regulations 2.390, the enclosed license document is exempt from public disclosure because its disclosure to unauthorized individuals could present a security vulnerability. The RIS may be located on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/ri200531.pdf> and the link for frequently asked questions regarding protection of security related sensitive information may be located at: <http://www.nrc.gov/reading-rm/sensitive-info/faq.html>.

A copy of this letter 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,

*Laura B. Cender*

Laura B. Cender  
Health Physicist  
Materials Licensing Branch

License No. 13-35059-01  
Docket No. 030-38636

Enclosure: Amendment No. 3