



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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

NOV 20 2017

Alan Pancake
Radiation Safety Officer
Peabody Midwest Mining, LLC
566 Dickeyville Road
Lynnville, IN 47619

Dear Mr. Pancake:

Enclosed is Amendment No. 13 renewing your NRC Material License No. 13-26785-01 in accordance with your request.

The following License Conditions have been updated in accordance with the information provided and the NRC licensing policy. Specifically, License Condition 10 has been updated to reflect the updated facility addresses provided with your application. License Condition 12 has been updated to include the requirement that users of the licensed material shall be designated in writing by the radiation safety officer. Condition 13 A. has been updated to include the requirement that in the absence of a registration certificate the interval for leak testing of the gauge is not to exceed six months. Additionally, Conditions 13 B. and 13 D., as described on License Amendment No. 12, have been removed as they are not applicable to the types of devices permitted on the license. Condition 15 has been updated to include the requirement that records of physical inventories must be maintained for three years after they are conducted. Condition 16 B. has been updated to include the requirement that records of shutter and indicator test results be maintained for three years from the date of testing. Lastly, Condition 18 regarding gauge mounting requirements has been added to license as it was inadvertently not included on previous amendments.

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.

In accordance with Title 10 Code of Federal Regulations 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 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. 13-26785-01
Docket No. 030-34405

Enclosure: Amendment No. 13