NRC FORM 699
(03-2013)

U.S. NUCLEAR REGULATORY COMMISSION

CONVERSATION RECORD

DATE OF SIGNATURE

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU	DATE OF CONTACT	TYPE OF CONVERSATION
Andy Nelson	9/28/2017	☐ E-MAIL ☑ TELEPHONE ☐ INCOMING ☑ OUTGOING
E-MAIL ADDRESS anelson@peabodyenergy.com	TELEPHONE NUMBER (812) 922-1045	

ORGANIZATION	DOCKET NUMBER(S)
Peabody Midwest Mining, LLC	030-34405
LICENSE NUMBER(S)	CONTROL NUMBER(S)
13-26785-01	594469

SUBJECT

Additional Information Requested

SUMMARY

The response to an earlier request for additional information regarding NRC License No. 13-26785-01 was signed by an individual not qualified to make legally binding commitments to the license. Specifically, the commitments made in the "Attachment A" portion of the response must be signed by either the RSO, Alan Pancake, or a senior manager with Peabody Midwest Mining, LLC. Items 10.3 "Material Receipt and Accountability" and 10.10 "Fixed Gauge Use at Temporary Job Sites" were the specific items requested to be completed/included.

Additionally, in your response please confirm that the Gamma-Metrics BMA Model 2000 device is still associated with the Francisco Prep Plant, and the Sabia Model XC-25 device is still associated with the Somerville Central Prep Plant.

Lastly, Attachment A. Item 7. requests that James Evans be named on the license as the Assistant Radiation Safety Officer. Due to changes with NRC policy, Assistant Radiation Safety Officers are no longer listed on NRC licenses. Although Mr. Evans will no longer be listed on the renewed license, this does not limit his ability to be associated with the Radiation Safety Program.

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ACTION REQUIRED (IF ANY)

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 Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html.

Continue on Page 3

NAME OF PERSON DOCUMENTING CONVERSATION

Laura B. Cender

SIGNATURE

Laura B. Cender 9/28/2017

Cender, Laura

From: Cender, Laura
Sent: Thursday, September 28, 2017 9:47 AM
To: 'Nelson, Andy'
Subject: RE: Folllow UP_ Delegation Authority RSO _ NRC Materials License No. 13-26785-01
Attachments: Conversation Record - Peabody Midwest Mining License No. 13-26785-01.pdf

Hello Andy,

Thank you for your follow-up, I apologize for not sending a response after receiving the Delegation of Authority submitted on 9/12/2017. I have attached a copy of our conversation record from this morning regarding your application.

Please let me know if you have any questions.

Respectfully,
Laura Cender

Laura Cender
U.S. Nuclear Regulatory Commission
Materials Licensing Branch
E-mail: Laura.Cender@nrc.gov
Phone: (630) 829-9712

From: Nelson, Andy [mailto:ANelson@peabodyenergy.com]
Sent: Wednesday, September 27, 2017 11:20 AM
To: Cender, Laura <Laura.Cender@nrc.gov>
Subject: [External_Sender] Folllow UP_ Delegation Authority RSO _ NRC Materials License No. 13-26785-01

Ms. Cender,

I wanted to follow up with you and confirm that you had received the Delegation of Authority .pdf emailed on 9/12/17, see below.
Please advise if I can be of any further assistance with our pending license renewal No. 13-26785-01.

Karen Risner will return from leave the end of October and I hope to report to her that all is in order with regard to the application or hopefully approved renewal.

Thank You,

Andy Nelson
Manager Permitting
Office: (812) 922-1045
Cell: (812) 483-3348

Peabody

566 Dickeyville Road
Lynnville, IN 47619

From: Nelson, Andy
Sent: Tuesday, September 12, 2017 12:07 PM
To: 'Cender, Laura'
Subject: Delegation Authority RSO _ NRC Materials License No. 13-26785-01

Ms. Cender,

Please find attached .pdf of an updated Delegation of Authority for the RSO to include with the pending renewal application for Peabody Midwest Mining LLC's Materials License No. 13-26785-01.

Please advise if any further information is required or if a hard copy of the delegation of authority should be mailed to your agency.

Thank You,

Andy Nelson
Manager Permitting
Office: (812) 922-1045
Cell: (812) 483-3348

Peabody
566 Dickeyville Road
Lynnville, IN 47619

From: Cender, Laura [mailto:Laura.Cender@nrc.gov]
Sent: Thursday, August 31, 2017 9:13 AM
To: Nelson, Andy
Cc: Risner, Karen M.
Subject: RE: RE: NRC Materials License No. 13-26785-01

Mr. Nelson,

I have reviewed the submitted information and I do need one further request. The Delegation of Authority provided appears to have been signed in 2015. As license renewals currently only occur every 10 years (soon to be 15 years) the NRC requests that Delegations of Authority submitted for license renewals be current to the request. Please submit a new Delegation of Authority signed by both Mr. Alan Pancake and someone in his senior management chain.

I have attached a model Delegation of Authority that may be altered to meet your company needs.

Please feel free to contact me at 630-829-9712 with any questions.

Thank you,
Laura Cender

Laura Cender

U.S. Nuclear Regulatory Commission
Materials Licensing Branch
E-mail: Laura.Cender@nrc.gov
Phone: (630) 829-9712

From: Nelson, Andy [mailto:ANelson@peabodyenergy.com]
Sent: Friday, August 25, 2017 12:02 PM
To: Cender, Laura <Laura.Cender@nrc.gov>
Subject: [External_Sender] RE: NRC Materials License No. 13-26785-01

Ms. Cender:

Please find attached in response to your email of earlier this week responses to the request for information regarding pending renewal of Peabody Midwest Mining LLC's Materials License No. 13-26785-01.

Karen Risner who filed the application is presently on maternity leave so please direct any further inquiries to my attention.

Should additional information or explanation be required please contact me at this email or the phone number below.

Thank You,

Andy Nelson
Manager Permitting
Office: (812) 922-1045
Cell: (812) 483-3348

Peabody
566 Dickeyville Road
Lynnville, IN 47619

From: Cender, Laura [mailto:Laura.Cender@nrc.gov]
Sent: Tuesday, August 22, 2017 8:23 AM
To: Risner, Karen M.
Subject: NRC Materials License No. 13-26785-01

Hello Ms. Riser,

My name is Laura Cender and I work for the Nuclear Regulatory Commission. I am currently processing your license renewal request for your Materials License No. 13-26785-01 and additional information is required for continue processing.

Specifically, please provide the additional information requested below:

1. Please provide a record or training certificate verifying Mr. Alan Pancake's RSO training.
2. Please provide a Delegation of Authority for Mr. Pancake – an example Delegation of Authority form is attached and may be modified as needed. The form must be signed by Mr. Pancake and someone in his senior management chain.

3. Please provide an appropriately **signed and dated** letter or statement completing NUREG 1556 Vol. 4 Rev. 1 Appendix B Items 10.3 and 10.10.
    a. For item 10.3 a partial response was provided with your application, but the second part of the **AND** statement was not noted in your response.
    b. A response for Item 10.10 was not provided with your application.
    c. A copy of NUREG 1556 Vol. 4 Rev. 1 Appendix B is attached.
4. Please provide a facility diagram indicating the location the fixed gauge devices within the plant.

Please feel free to contact me at 630-829-9712 or via email with any questions.

Respectfully,

Laura Cender

Laura Cender
U.S. Nuclear Regulatory Commission
Materials Licensing Branch
E-mail: Laura.Cender@nrc.gov
Phone: (630) 829-9712

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