



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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

MAR 13 2018

Masakazu Miyagi, Ph.D.
Radiation Safety Officer
Midwest Bio-Products, Inc.
618 Liberty Street
Covington, IN 47932

Dear Dr. Miyagi:

Enclosed is Amendment No. 05 to your NRC Material License No. 13-20477-01 in accordance with your request. Please note that, your license format has been changed based on our new Web-based Licensing (WBL) process.

Additionally, in accordance with the NRC licensing policy we deleted License Condition No. 16 regarding the transportation requirement in the previous license amendment because the requirement is already specified in the regulations (10 CFR Part 71).

Based on your request, a new licensed activity, incinerating the licensee's waste containing low activity of hydrogen-3, is authorized on your license. Accordingly, License Condition Nos. 16 and 17 regarding the incineration disposal requirement were added to your license and the program code 03235 associated with the new authorization, was added to your license. The fee category for this program code is 4.A. as specified in 10 CFR 171.16(d).

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,



Frank P. D. Tran
Health Physicist
Materials Licensing Branch

License No. 13-20477-01
Docket No. 030-18424

Enclosure: Amendment No. 05