



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

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

March 29, 2021

Michael Millershaski
Technical Services Manager / RSO
Michigan Sugar Company
122 Uptown Drive, Ste. 300
Bay City, MI 48706

Dear Mr. Millershaski:

This letter is in reference to your letter dated January 7, 2021, requesting an amendment to your U.S. Nuclear Regulatory Commission (NRC) Materials License No. 21-13783-02.

The NRC's guidance document for your proposed type of license, which I refer to below as "the guidance", is NUREG-1556, Volume 4, Rev. 1, dated July 2016, "Consolidated Guidance About Materials Licenses, Program – Specific Guidance About Fixed Gauge Licenses." This guidance is available on the NRC Web site at: <https://www.nrc.gov/docs/ML1618/ML16188A048.pdf>

Upon review of your request, I identified the following area requiring additional or clarifying information:

You are requesting to add authorization for the Berthold Technologies USA, LLC, Models LB 7440F CR and LB 8115 fixed gauging devices.

Your request does not provide a complete description of the intended use of the fixed gauging devices. Additionally, your request does not identify the manufacturer and model numbers of the compatible sealed sources to be authorized for use with the requested fixed gauging devices.

To ensure that the requested devices are properly licensed, please specify the intended use of the fixed gauging devices and provide the manufacturer and model number for each sealed source to be approved for use with each type of fixed gauging device included in your request. For additional information, please refer to Title 10 Code of Federal Regulations (10 CFR) §30.32(g)(1)(i) and Section 8.5.1, "Sealed Sources and Devices," of the guidance.

In accordance with 10 CFR §2.390 of the NRC's "Rules of Practice," a copy of this letter will be made 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 <https://www.nrc.gov/reading-rm/adams.html>.

To continue review of your request, please submit your response by April 9, 2021. In your response, please refer to the license, docket, and control number specified below. If no response is received within the specified timeframe noted above, it will be assumed that you do not wish to proceed with the requested licensing action.

If you have questions, need additional time to respond, or require clarification on any of the information stated above, you may contact me at jason.kelly@nrc.gov or (630) 829-9737.

Sincerely,

Jason M. Kelly
Health Physicist
Materials Licensing Branch

Docket No.: 030-11540
License No.: 21-13783-02
Control No.: 624250