



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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

December 23, 2022

Tom Killingsworth
Radiation Safety Officer
Michigan Department of Transportation
State Secondary Complex
8885 Ricks Rd.
Lansing, MI 48909

SUBJECT: AMENDMENT NO. 51 TO RADIOACTIVE MATERIALS LICENSE FOR MICHIGAN
DEPARTMENT OF TRANSPORTATION, U.S. NRC LICENSE NO. 21-03039-01

Dear Mr. Killingsworth:

Enclosed is Amendment No. 51 to your U.S. Nuclear Regulatory Commission (NRC) Materials License No. 21-03039-01 in accordance with the request dated October 13, 2022, signed by Lindsey Renner, Construction Operations Engineer, and your letter dated December 21, 2022.

Your license is amended to increase the authorized possession limit for the InstroTek, Inc., Model 3500 portable gauging devices. Further, the license is amended to reflect a decrease in the authorized possession limit for the Troxler Electronic Laboratories Model 3400 Series portable gauging devices.

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. NRC Region III office at (630) 829-9887 so that appropriate corrections or answers may be provided.

An environmental assessment for this action is not required because this action is categorically excluded under Title 10 of the *Code of Federal Regulations* (10 CFR) §51.22(c).

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 NRC Enforcement Policy. 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 that 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 <https://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. I encourage you to review this material and adapt it to your particular needs in order to develop

The enclosed document contains sensitive security-related information.
When separated from this cover letter this letter is uncontrolled.

T. Killingsworth

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and maintain a positive safety culture as you engage in NRC-regulated activities.

NRC's Regulatory Issue Summary (RIS) 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 NRC's ADAMS, the NRC's electronic document system. Pursuant to NRC's RIS 2005-31 and in accordance with 10 CFR §2.390 of the NRC's "Rules of Practice and Procedure," 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's Generic Communications Web page under "Regulatory Issue Summaries" at <https://www.nrc.gov/reading-rm/doc-collections/gen-comm/>, and the link for frequently asked questions regarding protection of security-related sensitive information may be located at <https://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 ADAMS, accessible from the NRC Web site at <https://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

Jason M. Kelly, MPH
Health Physicist
Materials Licensing Branch

Docket No.: 030-04813

License No.: 21-03039-01

Enclosure: Amendment No. 51 to U.S. NRC Materials License No. 21-03039-01