



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

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

January 9, 2024

William Peters, Ph.D.  
Radiation Safety Officer  
Niowave, Inc.  
1012 N. Walnut St.  
Lansing, MI 48906

SUBJECT: AMENDMENT NO. 13 TO RADIOACTIVE MATERIALS LICENSE FOR NIOWAVE, INC., NRC LICENSE NO. 21-35144-02

Dear Dr. Peters:

Enclosed is Amendment No. 13 to your U.S. Nuclear Regulatory Commission (NRC) Materials License No. 21-35144-02 in accordance with your license amendment request dated October 20, 2023. Specifically, you requested to increase the possession limits for licensed materials listed in Items 6.AY., 6.BB., and 6.BE. and provided updates for the company's organizational chart and the decommissioning funding plan. Your requests are available electronically from the Agencywide Documents Access and Management System (ADAMS) at Accession No. ML23296A184. In addition, we deleted the former License Condition 18 associated with the requirement for financial assurance specified in Title 10 of *Code of Federal Regulations* (10 CFR) 40.36. Based on the changes in the radioactive material in the license, we added a license condition related to the requirement in 10 CFR 30.72.

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 we may provide appropriate corrections and answers.

An environmental assessment for this action is not required because this action is categorically excluded under Title 10 of the *Code of Federal Regulations* (CFR) Section 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>. 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 10 CFR 2.390 of the NRC's "Rules of Practice and Procedure," 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 ADAMS, accessible from the NRC Web site at <https://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

Frank P. D. Tran  
Senior Health Physicist  
Materials Licensing Branch

Docket No.: 030-38770  
License No.: 21-35144-02  
Control No.: 637622

Enclosure: Amendment No. 13 to NRC License No. 21-35144-02