

# Mate Creek Energy of WV, Inc.

March 18, 2005

Sattar Lodhi, Ph.D.  
Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406

47-25139-01  
03032105

Dear Mr. Lodhi:

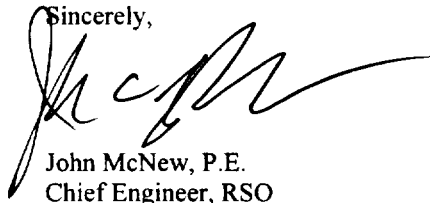
This letter is to inform you that we have disposed of our Coal-Scan 3500 unit on 3/17/05 with the accompanying nuclear sources (Am-241 300m Ci, Cs-137 20m Ci) through Energy Technologies, Inc. (ETI). The contact person who handled the disposal is Mr. David K. Swindell. You may contact him at 1-800-838-5384.

Please remove the associated Cs-137 and Am-241 authorization from our license. We have installed a model FSEA Elemental Analyzer containing Cf-252 (as authorized by our license) and Am-241 and Cs-137 authorized by ETI's general license.

Attached are the Bill of Lading, Source Shipping Procedures, Source Shipping Container Sheets, Packaging Evaluation Sheet, copy of Mate Creek Energy's US NRC materials license and ETI's approved authorization from you the NRC to remove the Coal Scan 3500.

Should you have any questions or comments, please call me at (304) 426-6090.

Sincerely,



John McNew, P.E.  
Chief Engineer, RSO

05 MAR 28 P 1:39

RECEIVED  
REGION 1

Attachments

Cc: H.L. King, Superintendent  
WV Office of Environmental Health Services  
File

136781

UNCLASSIFIED MATERIALS-002

NRC FORM 241 (4-2004)		U.S. NUCLEAR REGULATORY COMMISSION		APPROVED BY OMB: NO. 3150-0013		EXP/RES: 08/31/2005	
<b>REPORT OF PROPOSED ACTIVITIES IN NON-AGREEMENT STATES, AREAS OF EXCLUSIVE FEDERAL JURISDICTION, OR OFFSHORE WATERS</b> (Please read the instructions before completing this form)							
1. NAME OF LICENSEE (Person or firm proposing to conduct the activities described below)				2. TYPE OF REPORT			
Energy Technologies Inc.				<input checked="" type="checkbox"/> INITIAL <input type="checkbox"/> REVISION <input type="checkbox"/> CLARIFICATION			
3. ADDRESS OF LICENSEE (Mailing address or other location where licensee may be located)				4. LICENSEE CONTACT AND TITLE			
8819 Joe Daniels Road Knoxville, TN 37931				David K. Swindell, RSO			
				5. TELEPHONE NUMBER (Include Area Code)		6. FACSIMILE NUMBER (Include Area Code)	
				(865)927-9330		(865)927-8017	
7. ACTIVITIES TO BE CONDUCTED UNDER THE GENERAL LICENSE GIVEN IN 10 CFR 150.20							
<input type="checkbox"/> WELL LOGGING <input checked="" type="checkbox"/> LEAK TESTING AND/OR CALIBRATIONS <input type="checkbox"/> THERAPY/IRRADIATOR SERVICE <input type="checkbox"/> PORTABLE GAUGES <input checked="" type="checkbox"/> OTHER (Specify) ⇒ Remove Coal Scan 3500 <input type="checkbox"/> RADIOGRAPHY ⇒ REGISTERED AS USER OF PACKAGING (CERTIFICATE OF COMPLIANCE NUMBERS)							
8. CLIENT NAME, ADDRESS, CITY/COUNTY, STATE, ZIP CODE				9. ACTUAL, PHYSICAL, ADDRESS OF WORK LOCATION (Street and Number or other location. Give as complete an address or directions as possible.)			
Mate Creek Energy of West Virginia P.O. Box 343 Red Jacket, WV 25692				State Rt. 6 2.5 miles SE of Red Jacket Post Office West Virginia			
				10. CLIENT TELEPHONE NUMBER (Include Area Code)		11. WORK LOCATION TELEPHONE NUMBER (Include Area Code)	
				(304)426-4414		(304)426-6690	
12. DATES SCHEDULED		13. NUMBER OF WORK DAYS		14. ADD		15. DELETE	
FROM TO							
3/14/05 3/18/05		1					
16. LOCATION REFERENCE NUMBER							
NUMBER TO BE ASSIGNED BY NRC 000516							
LIST ADDITIONAL WORK SITES ON SEPARATE SHEET(S) TO INCLUDE ALL INFORMATION CONTAINED IN ITEMS 8-16 ABOVE.							
17. LIST RADIOACTIVE MATERIAL, WHICH WILL BE POSSESSED, USED, INSTALLED, SERVICED, OR TESTED (Include description of type and quantity of radioactive material, sealed sources, or devices to be used.)							
Americium 241 (300 mCi) Cesium 137 (20 mCi)							
18. AGREEMENT STATE SPECIFIC LICENSE WHICH AUTHORIZES THE UNDERSIGNED TO CONDUCT ACTIVITIES WHICH ARE THE SAME, EXCEPT FOR LOCATION OF USE, AS SPECIFIED IN ITEM 7 ABOVE. (Four copies of the specific license must accompany the initial NRC Form 241.)				LICENSE NUMBER		STATE	
				R-47148-D08		TN	
						EXPIRATION DATE	
						4/30/08	
19. CERTIFICATION (MUST BE COMPLETED BY APPLICANT)							
I, THE UNDERSIGNED, HEREBY CERTIFY THAT:							
a. All information in this report is true and complete. b. I have read and understand the provision of the general license 10 CFR 150.20 reprinted on the instructions of this form; and I understand that I am required to comply with these provisions as to all byproduct, source, or special nuclear material which I possess and use in non-agreement states or offshore waters under the general license for which this report is filed with the U.S. Nuclear Regulatory Commission. c. I understand that activities, including storage, conducted in non-agreement states under general license 10 CFR 150.20 are limited to a total of 180 days in calendar year. With the exception of work conducted in offshore waters, which is authorized for an unlimited period of time in the calendar year. d. I understand that I may be inspected by NRC at the above listed work site locations and at the licensee home office address for activities performed in non-agreement states or offshore waters. e. I understand that conduct of any activities not described above, including conduct of activities on dates or locations different from those described above or without NRC authorization, may subject me to enforcement action, including civil or criminal penalties.							
CERTIFYING OFFICER: RSO or Management Representative (Name and Title)				SIGNATURE		DATE	
David K. Swindell, RSO						3/9/05	
WARNING: False statements in this certificate may be subject to civil and/or criminal penalties. NRC regulations require that submissions to the NRC be complete and accurate in all material respects. 18 U.S.C. Section 1001 makes it a criminal offense to make a willfully false statement or representation to any department or agency of the United States or to any matter within its jurisdiction.							
FOR NRC USE ONLY		REVIEWING OFFICIAL (Type and Print Name and Title)		SIGNATURE		DATE	
						3/14/05	
						TOTAL USAGE - DAYS TO DATE	
						5	

NRC FORM 241 (4-2004)

PRINTED ON RECYCLED PAPER

② 3/10/05

TOTAL P.01

**MATERIALS LICENSE**

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee		In accordance with the application dated October 7, 2004,	
1. Mate Creek Energy of West Virginia, Inc.		3. License number 47-25139-01 is amended in its entirety to read as follows:	
2. P. O. Box 343 Red Jacket, West Virginia 25692-0343		4. Expiration date June 30, 2011	
		5. Docket No. 030-32105 Reference No.	
6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license	
A. Cesium 137	A. Sealed Sources (Amersham Corporation Model 806)	A. No single source to exceed the maximum activity specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State	
B. Americium 241	B. Sealed Sources (Amersham Corporation Model AMC.17)	B. No single source to exceed the maximum activity specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State	
C. Californium 252	C. Sealed Sources (Amersham Models CVN.CY6, CVN.5, CVN.6, CVN.7, CVN.10, CVN.11; Frontier Technology Corp. Models 10, 10S, 100, 100S)	C. No single source to exceed the maximum activity specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State	

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number

47-25139-01

Docket or Reference Number

030-32105

Amendment No. 03

## 9. Authorized use:

- A. and B. To be used, for measurement of ash, in fixed gauging devices that have been registered either with the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or with an Agreement State and have been distributed in accordance with a Commission or Agreement State specific license authorizing distribution to persons specifically authorized by a Commission or Agreement State license to receive, possess, and use the devices.
- C. To be used, for chemical elemental composition analysis, in fixed gauging devices that have been registered either with the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or with an Agreement State and have been distributed in accordance with a Commission or Agreement State specific license authorizing distribution to persons specifically authorized by a Commission or Agreement State license to receive, possess, and use the devices.

**CONDITIONS**

10. Licensed material may be used or stored only at the licensee's facilities located at State Route 6, 2.5 miles Southeast of Red Jacket Post Office, Red Jacket, West Virginia.
11. Licensed material shall be used by, or under the supervision of, individuals who have received the training described in application dated October 7, 2004, and have been designated, in writing, by the Radiation Safety Officer. The licensee shall maintain records of individuals designated as users for 3 years following the last use of licensed material by the individual.
12. The Radiation Safety Officer for this license is John C. McNew, P.E.
13. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.
14. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
15. A. Sealed sources shall be tested for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State.
- B. In the absence of a certificate from a transferor indicating that a leak test has been made within the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State, prior to the transfer, a sealed source received from another person shall not be put into use until tested and the test results received.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number

47-25139-01

Docket or Reference Number

030-32105

Amendment No. 03

- C. Sealed sources need not be tested if they are in storage and are not being used; however, when they are removed from storage for use or transferred to another person and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.
- D. The leak test shall be capable of detecting the presence of 0.005 microcurie (185 becquerels) of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie (185 becquerels) or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(c)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations.
- E. Tests for leakage and/or contamination, limited to leak test sample collection, shall be performed by the licensee or by other persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services. The licensee is not authorized to perform the analysis; analysis of leak test samples must be performed by persons specifically licensed by U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.
- F. Records of leak test results shall be kept in units of microcuries and shall be maintained for 5 years.
16. The licensee shall conduct a physical inventory every six months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 5 years from the date of each inventory and shall include the radionuclides, quantities, manufacturer's name and model numbers, and the date of the inventory.
17. A. Each gauge shall be tested for the proper operation of the on-off mechanism (shutter) and indicator, if any, at intervals not to exceed 6 months or at such longer intervals as specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission pursuant to 10 CFR 32.210 or the equivalent regulations of an Agreement State.
- B. Notwithstanding the periodic on-off mechanism (shutter) and indicator test, the requirement does not apply to gauges that are stored, not being used, and have the shutter lock mechanism in a locked position. The gauges exempted from this periodic test shall be tested before use.
18. The following services shall not be performed by the licensee: installation, initial radiation surveys, relocation, removal from service, dismantling, alignment, replacement, disposal of the sealed source and non-routine maintenance or repair of components related to the radiological safety of the gauge (i.e., the sealed source, the source holder, source drive mechanism, on-off mechanism (shutter), shutter control, shielding). These services shall be performed only by persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**License Number  
**47-25139-01**Docket or Reference Number  
**030-32105**

Amendment No. 03

19. The licensee may initially mount a gauge if permitted by the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State and under the following conditions:
- A. The gauge must be mounted in accordance with written instructions provided by the manufacturer;
  - B. The gauge must be mounted in a location compatible with the "Conditions of Normal Use" and "Limitations and/or Other Considerations of Use" in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State;
  - C. The on-off mechanism (shutter) must be locked in the off position, if applicable, or the source must be otherwise fully shielded;
  - D. The gauge must be received in good condition (i.e., package was not damaged); and
  - E. The gauge must not require any modification to fit in the proposed location.
- Mounting does not include electrical connection, activation or operation of the gauge. The source must remain fully shielded and the gauge may not be used until it is installed and made operational by a person specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such operations.
20. A. The licensee may maintain, repair, or replace device components that are not related to the radiological safety of the device and that do not result in the potential for any portion of the body to come into contact with the primary beam or in increased radiation levels in accessible areas.
- B. The licensee may not maintain, repair, or replace any of the following device components: the sealed source, the source holder, source drive mechanism, on-off mechanism (shutter), shutter control, or shielding, or any other component related to the radiological safety of the device, except as provided otherwise by specific condition of this license.
21. Prior to initial use and after installation, relocation, dismantling, alignment, or any other activity involving the source or removal of the shielding, the licensee shall assure that a radiological survey is performed to determine radiation levels in accessible areas around, above, and below the gauge with the shutter open. This survey shall be performed only by persons authorized to perform such services by the U.S. Nuclear Regulatory Commission or an Agreement State.
22. The licensee shall operate each device containing licensed material within the manufacturer's specified temperature and environmental limits such that the shielding and shutter mechanism of the source holder are not compromised.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**License Number  
**47-25139-01**Docket or Reference Number  
**030-32105**

Amendment No. 03

23. The licensee shall assure that the shutter mechanism, for each device containing licensed material, is locked in the closed position during periods when a portion of an individual's body may be subject to the direct radiation beam. The licensee shall review and modify, as appropriate, its "lock-out" procedures whenever a new device is obtained to incorporate the device manufacturer's recommendations.
24. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
25. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.
- A. Application dated February 19, 1991
  - B. Letter dated April 19, 1991
  - C. Application dated February 26, 2001
  - D. Application dated October 7, 2004

For the U.S. Nuclear Regulatory Commission

Date November 15, 2004

By \_\_\_\_\_

***Original signed by***

Medical Branch  
Division of Nuclear Materials Safety  
Region I  
King of Prussia, Pennsylvania 19406

89948608



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

November 15, 2004

Docket No. 03032105  
Control No. 135842

License No. 47-25139-01

John C. McNew, P.E.  
Chief Engineer/RSO  
Mate Creek Energy of West Virginia, Inc.  
P. O. Box 343  
Red Hacket, WV 25692-0343

SUBJECT: MATE CREEK ENERGY OF WEST VIRGINIA, INC., ISSUANCE OF LICENSE  
AMENDMENT, CONTROL NO. 135842

Dear Mr. McNew:

This refers to your license amendment request dated October 7, 2004. Enclosed with this letter is the amended license. **Your amended license is written in accordance with current NRC policy and includes changes in the format and conditions of the license.**

Please review the enclosed document carefully and be sure that you understand and fully implement all the conditions incorporated into the amended license. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5239, so that we can provide appropriate corrections and answers.

*An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14).*

Please note that on October 25, 2004, the NRC suspended public access to ADAMS, and initiated an additional security review of publicly available documents to ensure that potentially sensitive information is removed from the ADAMS database accessible through the NRC's web site. Interested members of the public may obtain copies of the referenced documents for review and/or copying by contacting the NRC Public Document Room pending resumption of public access to ADAMS. The NRC Public Document Room is located at NRC Headquarters in Rockville, MD, and can be contacted at 800-397-4209 or 301-415-4737 or [pdr@nrc.gov](mailto:pdr@nrc.gov).



J. McNew  
Mate Creek Energy of West Virginia, Inc.

2

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sattar Lodhi', with a long, sweeping horizontal line extending to the right.

Sattar Lodhi, Ph.D.  
Senior Health Physicist  
Security and Industrial Branch  
Division of Nuclear Materials Safety

Enclosure:  
Amendment No. 03

# BILL OF LADING

ORIGINAL - NOT NEGOTIABLE

Shipper No: \_\_\_\_\_

Energy Technologies Inc. (ETI)

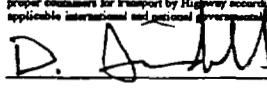
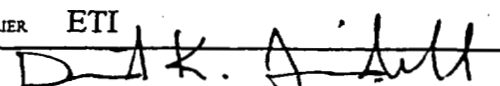
Carrier No: \_\_\_\_\_

Page 1 of 1

(Name of Carrier)

(SCAC)

Date: 3/17/05

Consignee <b>ETI</b> <small>On Collect on Delivery shipments the letters COD must appear before consignee's name or as otherwise provided in Item 430 Section I</small>		FROM: Shipper <b>ETI</b> Street <b>8819 Joe Daniels Road</b> <b>Knoxville, TN 37931</b> Origin <b>MATE CREEK ENERGY</b> <b>RED JACKET, WVA</b>				
Street <b>8819 JOE DANIELS RD</b>		Destination <b>KNOXVILLE TN</b> Zip Code <b>37931</b>				
Route		Vehicle Number				
No of Units and Container Type	HM	BASIC DESCRIPTION <small>Proper Shipping Name Hazard Class Identification Number (UN or NA) per 172 101, 172 202, 172 203</small>	TOTAL QUANTITY <small>(Weight, Volume, Gallons, etc.)</small>	WEIGHT <small>(Subject to Correction)</small>	RATE	CHARGES <small>for Carrier Use only</small>
1	RQ	Pail; Radioactive Material	<del>300</del> 210 mCi	55 lbs.		
		Special Form N.O.S.; UN 2974				
		Radionuclides: Am-241, Cs-137				
		Form: Special				
		Activity: Am-241 <sup>300</sup> <del>200</del> mCi, Cs-137 <sup>20</sup> <del>10</del> mCi				
		Type Labels: YELLOW-II				
		Transport Index: 0.2				
		Seal: Plastic Tyrap				
PLACARDS TENDERED: YES NO <input checked="" type="checkbox"/>			REMIT C.O.D. TO: ADDRESS			
<small>- Where the rate is dependent on value, shippers are advised to enter specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding _____ per _____.</small>			COD Amt: \$		C.O.D. FEE: PREPAID - COLLECT - \$ TOTAL CHARGES \$	
<small>I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packaged, marked, and labeled and are in all respects in proper condition for transport by Highway according to applicable international and national governmental regulations.</small>  Signature			<small>Subject to Section 7 of the conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement. The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.</small> _____ Signature of Consignor		FREIGHT CHARGES FREIGHT PREPAID <input type="checkbox"/> Check box if charges are to be collected FREIGHT COLLECT <input type="checkbox"/>	
<small>RECEIVED subject to the classifications and lawfully filed tariffs in effect on the date of the issue of this Bill of Lading. The property described above, in apparent good order except as noted (contents and conditions of contents of packages unknown), being marked, consigned and destined as indicated above, which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination marked on its route, otherwise to deliver to another carrier on the route to said destination, and is mutually agreed by each carrier of all or any of said property over all or any portion of said route to destination and by each party at any interested in all or any of said property, and every service to be performed hereunder, shall be subject to all the Bill of Lading terms and conditions in the governing classification on the date of shipment. Shipper hereby certifies that he is familiar with all the Bill of Lading terms and conditions of the governing classification, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assignor.</small>						
CARRIER Energy Technologies Inc.			CARRIER ETI			
PER 			1			
DATE 3/17/05						

**PROCEDURE DGAP-8**

**DGA Source Shipping**

Revision 0  
July 5, 1994

- Note 1: Only persons authorized by the Radioactive Materials license may perform this procedure.
- Note 2: The following items need not be performed in exact sequence. All of these steps must be performed prior to shipment.
- 1.0 Review leak test records and perform leak test as required to assure compliance with testing requirements over a conservatively estimated transportation and installation period. DKS
  - 2.0 Using form DGAF-8-1 (attached) examine and record condition of DGA source shipping container. Do not use container that does not pass this review. DKS
  - 3.0 Survey sources installed in shipping container to define shipping classification. DKS
  - 4.0 Mark each shipping container with appropriate label. Attach two labels so that they are on opposite sides of the container. DKS
  - 5.0 Complete "Bill of Lading" form DGAF-8-2 (attached). DKS
  - 6.0 Have in possession and verify recipients license for subject materials. DKS
  - 7.0 Complete or have previously completed export forms if the shipment is outside of the U.S.A. NA
  - 8.0 Evaluate shippers corporate training in the transport of radioactive materials. If the company may not normally transport these materials as may be indicated by the absence of corresponding shipping forms or as may be determined through questioning, brief the driver with respect to the transportation requirements and obtain the driver's initials or signature on form DGAF-8-3. NA
  - 9.0 Give the appropriate sealed and marked source container to the shipper along with copies of the appropriate forms. DKS

## Operating Procedures - Model DGA-Series 400 Rapid Ashmeter System

### DGAF-8-1

Model DGA-400 Ashmeter

Source Shipping Container

Shipment for: MATE CREEK ENERGY

Date Inspected: 3/17/05

By: D. [Signature]

### PACKAGING ACCEPTANCE/USE CRITERIA

CRITICAL	MAJOR	ACCEPTANCE/PRE-USE/INSPECTION CRITERIA	
-lid/body interface	Vendor qualifications and experience	<u>Functional:</u>	
-Sealing surface		--- Ease of lid/closure ring application	<u>✓</u>
		--- Bolt closure ring -bolt size	<u>✓</u>
		--- Gasket, adhesive, as specified	<u>✓</u>
		--- Geometry, as specified	<u>✓</u>
		<u>Acceptable Conditions</u>	
		--- Lack of dents, no deformation of sealing surfaces	<u>✓</u>
		--- Dimensions, as specified	<u>✓</u>
-Gasket		--- Gasket size, materials, geometry	<u>✓</u>
-Weld areas		--- Continuous welds, no sharp edges	<u>✓</u>
-Body and chime	Metal thickness	<u>Lot test by shipper, as appropriate</u>	
-Air leak tests	-Bolt size	<u>Vendor Data and/or Certification</u>	
		--- Marketing	<u>✓</u>
		--- Test data	<u>✓</u>
		--- Type A Certification Document provided as appropriate	<u>✓</u>
		--- Air leak tests	<u>✓</u>
	Protective coating application	<u>Visual</u>	
		--- Surface/coating as specified	<u>✓</u>
		--- Lack of imperfections in application	<u>✓</u>
		--- Lack of rust, dents, nicks	<u>✓</u>

These criteria apply to first-time use and to re-use as a DOT 7A Type A packaging.

Operating Procedures - Model DGA-Series 400 Rapid Ashmeter System

**DGAF-8-4 Packaging Evaluation**

**I. DOT 7A Packaging Evaluation**

Name: MATE CREEK ENERGY Date: 3/17/05

Packaging Type: Steel Drum ✓ Wooden Box       
Steel Box      Fiberboard Container       
Other (Describe)                                       
  

Packaging Common Name: Dot Spec 17C Steel Drum (5-gal)

Documentation is on file (MLM-3245, March 1987) of the tests performed and test results (173.465) certifying that the construction method, packaging design and materials of construction comply with specification 7A Packaging requirements in 49 CFR 178.350. A drawing of the above listed packaging is also on file.

**II. DOT 7A Package Comparison**

Package Contents: SOURCE ASSY

   Gross Weight              #.

Test Package Contents: Material Form No. 3: Solids - objects with no significant dispersible or removable contamination.

   Gross Weight 100 #.

Comparison Results: The contents of the actual package closely simulates the contents of the test package.

Acceptable for use: YES ☒

Unacceptable for use: NO      -- must be retested and analyzed to determine specification 7A Compliance with actual contents.

This is to acknowledge the receipt of your letter/application dated

3/18/2005, and to inform you that the initial processing which includes an administrative review has been performed.

☒ AMEND. 47-25138-01 There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

☐ Please provide to this office within 30 days of your receipt of this card

---

A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned Mail Control Number 136781.  
When calling to inquire about this action, please refer to this control number.  
You may call us on (610) 337-5398, or 337-5260.

BETWEEN: : (FOR LFMS USE)  
: INFORMATION FROM LTS  
: -----  
:   
License Fee Management Branch, ARM : Program Code: 03120  
and : Status Code: 0  
Regional Licensing Sections : Fee Category: 3P  
: Exp. Date: 20110630  
: Fee Comments: 2M 4-2  
: Decom Fin Assur Req'd: N  
: ::::::::::::::::::::::::::::::::::::::

LICENSE FEE TRANSMITTAL

A. REGION I

1. APPLICATION ATTACHED

Applicant/Licensee: MATE CREEK ENERGY OF WV, INC.  
Received Date: 20050328  
Docket No: 3032105  
Control No.: 136781  
License No.: 47-25139-01  
Action Type: Amendment

2. FEE ATTACHED

Amount: \_\_\_\_\_  
Check No.: /

3. COMMENTS

Signed M. A. Perkins  
Date 4/12/2005

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered /\_\_ /)

1. Fee Category and Amount: \_\_\_\_\_

2. Correct Fee Paid. Application may be processed for:

Amendment \_\_\_\_\_  
Renewal \_\_\_\_\_  
License \_\_\_\_\_

3. OTHER \_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_  
Date \_\_\_\_\_