



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

August 7, 2006

Docket No. 03035574  
Control No. 139159

License No. 47-25543-01

Timothy D. Kelly  
Manager of Quality Assurance  
Argus Energy, LLC  
P. O. Box 416  
Kenova, WV 25530

SUBJECT: ARGUS ENERGY, LLC, REQUEST FOR ADDITIONAL INFORMATION  
CONCERNING APPLICATION FOR AMENDMENT TO LICENSE, CONTROL  
NO. 139159

Dear Mr. Kelly:

This is in reference to your letter received on July 20, 2006 requesting to amend Nuclear Regulatory Commission License No. 47-25543-01. During our review, I noted that there are some errors on your license which need to be corrected. In order to continue our review, we need the following additional information:

1. License Items 1 and 2 on License No. 47-25543-01 reads as follows:

Argus Energy WV, L.L.C.  
P. O. Box 191  
Dunlow, West Virginia 25511

However, your letter we received on July 20, 2006 had the following address listed:

Argus Energy, LLC  
P. O. Box 416  
Kenova, West Virginia 25530

Please provide the correct mailing address.

2. License Item 9 indicates you possess a Gamma-Metrics CH-HI fixed gauge. There is no such device registered. However, your application dated October 20, 2000 lists a Gamma-Metrics Model CB-HI cross-belt analyzer which is registered. Please provide the correct gauge model number(s) that you wish to list on your specific license.

T. Kelly  
Argus Energy, LLC

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3. In your letter received on July 20, 2006, you requested to change the californium-252 source model number to read as follows: Frontier Technology Model 100 Series. A review of the Sealed Source and Device registrations show that this source can be used in a Gamma-Metrics Model CB-HI with a maximum possession limit of 42 millicuries. The cesium-137 source may have a total of 10 millicuries for this same device.

We are now required to list maximum possession limits for each radionuclide. Please provide that the maximum possession limits for cesium-137 and californium-252 taking into account the number of gauges you possess and the activity per nuclide in each gauge.

4. License Condition 10 states that licensed material may be used at Argus Energy WV, LLC, 3026 Big Sandy Road (POB 416) (Wayne County River Terminal), Kenova, West Virginia. Please confirm that this is the correct listing.

Current NRC regulations and guidance are included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **Nuclear Materials; Medical, Academic, and Industrialc Uses of Nuclear Material**; then **Toolkit Index Page**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 8:00 p.m. EST, Monday through Friday (except Federal holidays).

We will continue our review upon receipt of this information. Please reply to my attention at the Region I Office and refer to Mail Control No. 139159. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5251.

If we do not receive a reply from you within 30 calendar days from the date of this letter, we will assume that you do not wish to pursue your application.

Sincerely,

***Original signed by Kathy Dolce Modes***

Kathy Dolce Modes  
Health Physicist  
Materials Security and Industrial Branch  
Division of Nuclear Materials Safety

cc:  
Roger Vanover, Radiation Safety Officer

T. Kelly  
Argus Energy, LLC

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**SUNSI Review Complete: KModes**

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| NAME   | KModesKAD |                                       |         |                          |         |                          |  |  |
| DATE   | 8/7/2006  |                                       |         |                          |         |                          |  |  |

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