

MATERIALS LICENSE  
SUPPLEMENTARY SHEET  
OFFICIAL RECORD COPY

License Number

37-30221-01

Docket or Reference Number

030-33867

Amendment No. 01

RoxCoal, Inc.  
P.O. Box 149  
Friedens, Pennsylvania 15541

In accordance with the letter dated August 8, 1996 with enclosures, License Number 37-30221-01 is hereby terminated.

Date

SEP 21 1996

For the U.S. Nuclear Regulatory Commission

Original Signed By:

Kathleen Dolce

By

Nuclear Materials Safety Branch  
Region I

King of Prussia, Pennsylvania 19406

ML 10 9/1

SEP 21 1996

John W. Yonkoske  
Radiation Safety Officer  
RoxCoal, Inc.  
P. O. Box 149  
Friedens, Pennsylvania 15541

Dear Mr. Yonkoske:

Please find enclosed Amendment No. 01 terminating License No. 37-30221-01 as requested by your letter dated August 8, 1996 with enclosures.

Your cooperation with us is appreciated.

Sincerely,

Original Signed By:  
Kathleen Dolce

Kathleen Dolce  
Division of Nuclear Materials Safety

License No. 37-30221-01  
Docket No. 030-33867  
Control No. 123564

Enclosure:  
Amendment No. 01

DOCUMENT NAME: R:\WPS\MLTR\L3730221.01

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	N	DNMS/RI				
NAME	Dolce\kadl						
DATE	08/19/96		08/ /96	08/ /96	08/ /96	08/ /96	

OFFICIAL RECORD COPY

ML 10

# RoxCoal, Inc.

P.O. Box 149 • Friedens, PA 15541 • Phone (814) 445-3876 • Fax (814) 445-2809

August 8, 1996

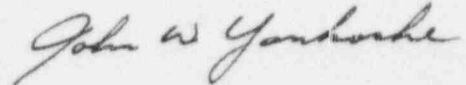
U.S. Nuclear Regulatory Commission, Region I  
475 Ailendale Road  
King of Prussia, PA 19406-1415  
ATTN: Licensing Assistance Section

RE: License No. 37-30221-01  
Docket No. 030-33867  
Control No. 121773

Gentlemen:

This is to notify you that activities authorized by the above referenced license have been terminated. Please find attached a completed NRC Form 314 with related documents.

Sincerely,



John W. Yonkoske  
Chief Mining Engineer

JWY/mjf

Enclosures (4)

123564

595821

OFFICIAL RECORD COPY

ML 10

AUG 13 1996

(6-95)

10 CFR 20.36(c)(1)(iv)

10 CFR 40.42(c)(1)(iv)

10 CFR 70.36(c)(1)(iv)

**CERTIFICATE OF DISPOSITION OF MATERIALS**

INSTRUCTIONS: ALL ITEMS MUST BE COMPLETED - PRINT OR TYPE  
SEND THE COMPLETED CERTIFICATE TO THE NRC OFFICE SPECIFIED ON THE REVERSE

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS MANDATORY INFORMATION COLLECTION REQUEST: 30 MINUTES. THIS SUBMITTAL IS USED BY NRC AS PART OF THE BASIS FOR ITS DETERMINATION THAT THE FACILITY HAS BEEN CLEARED OF RADIOACTIVE MATERIAL BEFORE THE FACILITY IS RELEASED FOR UNRESTRICTED USE. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE INFORMATION AND RECORDS MANAGEMENT BRANCH (T-8 P33), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20546-0001, AND TO THE PAPERWORK REDUCTION PROJECT (3150-0028), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503. AN AGENCY MAY NOT CONDUCT OR SPONSOR, AND A PERSON IS NOT REQUIRED TO RESPOND TO, A COLLECTION OF INFORMATION UNLESS IT DISPLAYS A CURRENTLY VALID OMB CONTROL NUMBER.

LICENSEE NAME AND ADDRESS

RoxCoal, Inc.  
P.O. Box 149  
Friedens, PA 15541

Docket No. 030-33867  
Control No. 121773

LICENSE NUMBER

37-30221

LICENSE EXPIRATION DATE

6/30/2005

**A. MATERIALS DATA** (Check one and complete as necessary)

THE LICENSEE OR ANY INDIVIDUAL EXECUTING THIS CERTIFICATE ON BEHALF OF THE LICENSEE CERTIFIES THAT:  
(Check and/or complete the appropriate item(s) below.)

- ☐ 1. NO MATERIALS HAVE EVER BEEN PROCURED OR POSSESSED BY THE LICENSEE UNDER THIS LICENSE.
- OR
- ☒ 2. ALL ACTIVITIES AUTHORIZED BY THE LICENSE HAVE CEASED AND ALL MATERIALS PROCURED AND/OR POSSESSED BY THE LICENSE NUMBER CITED ABOVE HAVE BEEN DISPOSED OF IN THE FOLLOWING MANNER. (If additional space is needed, use the reverse side or provide attachments.)
- Sources were removed by Energy Technologies, Inc.
- Describe specific material transfer actions and, if there were radioactive wastes generated in terminating this license, the disposal actions including the disposition of low-level radioactive waste, mixed waste, Greater-than-Class-C waste, and sealed sources, if applicable.
- One (1) 200 mCi Am-241 Sealed Source and one (1) 10 mCi Cs-137 Sealed Source were removed by and transferred to Energy Technologies, Inc. No Rad-Waste was produced.
- For transfers, specify the date of the transfer, the name of the licensee recipient, and the recipient's NRC license number or Agreement State name and license number.
- Transferred 11/20/95 to Energy Technologies, Inc.  
Tennessee Radioactive Material License: #R-47148-J99

If materials were disposed of directly by the licensee rather than transferred to another licensee, licensed disposal site or waste contractor, describe the specific disposal procedures (e.g., decay in storage)

N/A

**B. OTHER DATA**

- ☒ 1. OUR LICENSE HAS NOT YET EXPIRED; PLEASE TERMINATE IT.
2. A RADIATION SURVEY WAS CONDUCTED BY THE LICENSEE TO CONFIRM THE ABSENCE OF LICENSED RADIOACTIVE MATERIALS AND TO DETERMINE WHETHER ANY CONTAMINATION REMAINS ON THE PREMISES COVERED BY THE LICENSE. (Check one)
- ☐ NO (Attach explanation)
- ☒ YES, THE RESULTS (Check one)
- ☒ ARE ATTACHED, or
- ☐ WERE FORWARDED TO NRC ON (Date)
- A Swipe Test was performed on this unit at the time of removal.

3. THE PERSON TO BE CONTACTED  
REGARDING THE INFORMATION  
PROVIDED ON THIS FORM

NAME

John W. Yonkoske

TELEPHONE NUMBER  
(Include Area Code)

814-445-3876 (ext. 220)

4. MAIL ALL FUTURE CORRESPONDENCE REGARDING THIS LICENSE TO

RoxCoal, Inc.  
P.O. Box 149  
Friedens, PA 15541

ATTN: John Yonkoske  
Radiation Safety Office

**FEE EXEMPT****CERTIFYING OFFICIAL**

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

PRINTED NAME AND TITLE

SIGNATURE

DATE

John W. Yonkoske

*John W. Yonkoske*

8/8/96

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 AS TO ANY MATTER WITHIN ITS JURISDICTIONS.

June 8, 1995

RoxCoal, Inc.  
Diamond T Mine, B-seam  
P.O. Box 149  
Rt. 31, West of Roxbury  
Friedens, PA 15541

Attn: Mr. John W. Yonkoske  
Radiation Safety Officer

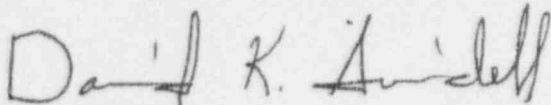
SUBJECT: LEAK TEST CERTIFICATE

Dear Sir,

Please find attached the certificate for the source leak tests that were performed on June 5, 1995 on the Model DGA-Series 400 Ashmeter. If you have any questions, please call me at (615) 690-1838.

Sincerely,

ENERGY TECHNOLOGIES INC.



David K. Swindell  
Radiation Safety Officer

cc: File - RADIATION (Leak Tests)

## REPORT OF SEALED RADIOACTIVE SOURCE LEAK TEST

Sealed source leak test were performed as shown below under the provisions of radioactive materials license R-47148-J99.

Date of test: June 5, 1995

Responsible Authority:

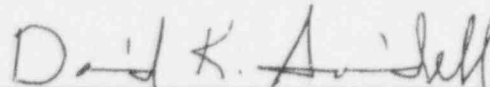
RoxCoal, Inc.  
Diamond T Mine, B-seam  
P.O. Box 149  
Rt. 31, West of Roxbury  
Friedens, PA 15541

Radioactive Source(s) Tested: Sources:

Americium-241 (Am-241)	200 mCi
Cesium-137 (Cs-137)	6 mCi

Results: All sources tested above showed less than 0.005 microcuries of removable contamination. This result indicates no evidence of a leaking source.

Important: A copy of this report should be kept available for inspection by state health department or Nuclear Regulatory Commission personnel.



David K. Swindell, Radiation Safety Officer

EII  
Energy Technologies Inc.  
127 Perimeter Park Dr.  
Knoxville, TN 37922  
(615) 690-1838

# BILL OF LADING

ORIGINAL - NOT NEGOTIABLE

Energy Technologies Inc. (ETI)

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

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

Date: 11/19/95

Page 1 of 1

(Name of Carrier)

(SCAC)

Consignee <u>Energy Technologies Inc.</u> <small>On Collect on Delivery shipments the letters COD must appear before consignee's name or as otherwise provided in Item 430 Section 1</small>		FROM: Shipper <u>ETI</u> Street <u>127 Perimeter Park Drive</u> <u>Knoxville, TN 37922</u> Origin <u>Rox Coal</u> <u>State Hwy 30</u> <u>Somerset, PA</u>	
Street <u>127 Perimeter Park Drive</u>			
Destination <u>Knoxville, TN</u> Zip Code <u>37922</u>			

Route				Vehicle Number		
No of Units and Container Type	HM	BASIC DESCRIPTION Proper Shipping Name Hazard Class Identification Number (UN or NA) per 172.101, 172.202, 172.203	TOTAL QUANTITY (Weight, Volume, Gallons, etc.)	WEIGHT (Subject to Correction)	RATE	CHARGES for Carrier Use only
1	RQ	Pail; Radioactive Material	210 mCi	55 lbs.		
		Special Form N.O.S.; UN 2974				
		Radionuclides: Am-241, Cs-137				
		Form: Special				
		Activity: Am-241 200 mCi; Cs-137 10 mCi				
		Type Labels: YELLOW-II				
		Transport Index: NA				
		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 state 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</small> _____ per _____		I hereby declare that the contents of this engagement 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 governmental and national governmental regulations. <u>B. M. Drey</u> Signature	
COD AMT: \$		C.O.D. FEE: PREPAID - COLLECT - \$ TOTAL CHARGES \$	
<small>Subject to Section 7 of the conditions, if this shipment is to be delivered to the consignee without recourse to the shipper, the shipper shall sign the following statement: The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.</small>		FREIGHT CHARGES FREIGHT PREPAID <input type="checkbox"/> Check box if charges are to be collected <input type="checkbox"/>	
Signature of Consignor		Signature of Consignee	

RECEIVED subject to the classification and liability limit set forth in the date of the terms of this Bill of Lading. The property described above, in apparent good order except as noted (contents and condition of packages, markings, labels, marks, etc.) and declared 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 the final place of delivery at said destination marked on its route, without to deliver to another carrier on the route to said destination, and to deliver to any other carrier at 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 as hereby agreed to by the shipper and consignor for himself and his assigns.

CARRIER <u>Energy Technologies Inc.</u>	CARRIER <u>ETI</u>
PER <u>B. M. Drey</u>	PER <u>B. M. Drey</u>
DATE <u>11/19/95</u>	DATE <u>11/20/95</u>

1

**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.
- 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.
- 3.0 Survey sources installed in shipping container to define shipping classification.
- 4.0 Mark each shipping container with appropriate label. Attach two labels so that they are on opposite sides of the container.
- 5.0 Complete "Bill of Lading" form DGAF-8-2 (attached).
- 6.0 Have in possession and verify recipients license for subject materials.
- 7.0 Complete or have previously completed export forms if the shipment is outside of the U.S.A.
- 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.
- 9.0 Give the appropriate sealed and marked source container to the shipper along with copies of the appropriate forms.

BMI

BMI

BMI

BMI

BMI

BMI

NA

NA

BMI

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

## DGAF-8-1

Model DGA-400 Ashmeter

Source Shipping Container

Shipment for:

ETI From Rox Coal

Date Inspected:

11/17/95

By:

B. M. Luey

### PACKAGING ACCEPTANCE/USE CRITERIA

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

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

## DGAF-8-4 Packaging Evaluation

### I. DOT 7A Packaging Evaluation

Name: ETI From Rox Coal Date: 11/17/95

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: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ 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.



ENERGY TECHNOLOGIES INC.

December 01, 1995

Energy Technologies Inc.  
On-Site Source Room  
127 Perimeter Road  
Knoxville, TN 37922

**NOTE: Test Performed on  
Sources Received In-House.  
This is from Unit Removed  
from RoxCoal on 11/20/95.**

Attn: Mr. David K. Swindell  
Radiation Safety Officer

Dear Sir,

SUBJECT: LEAK TEST CERTIFICATE ON ETI-009

Please find attached the certificate for the source leak tests that were performed on November 20, 1995 on the Model DGA-Series 400 Ashmeter. If you have any questions, please call me at (615) 690-1838.

Sincerely,

ENERGY TECHNOLOGIES INC.

David K. Swindell  
Radiation Safety Officer

cc: File - RADIATION (Leak Tests)

BETWEEN:

LICENSE FEE MANAGEMENT BRANCH, ARM  
AND  
REGIONAL LICENSING SECTIONS

(FOR LFMS USE)  
INFORMATION FROM LTS

PROGRAM CODE: 03120  
STATUS CODE: 0  
FEE CATEGORY: 3P  
EXP. DATE: 20050630  
FEE COMMENTS:  
DECOM FIN ASSUR REQD: N

LICENSE FEE TRANSMITTAL

A. REGION I

1. APPLICATION ATTACHED

APPLICANT/LICENSEE: ROXCOAL, INC.  
RECEIVED DATE: 960813  
DOCKET NO: 3033867  
CONTROL NO.: 123564  
LICENSE NO.: 37-30221-01  
ACTION TYPE: TERMINATION

2. FEE ATTACHED

AMOUNT: -----  
CHECK NO.: -----

3. COMMENTS

SIGNED  
DATE

Rachel Simon  
8/16/96

B. LICENSE FEE MANAGEMENT BRANCH (CHECK WHEN MILESTONE 03 IS ENTERED / V /)

1. FEE CATEGORY AND AMOUNT: 3P

2. CORRECT FEE PAID. APPLICATION MAY BE PROCESSED FOR:

AMENDMENT -----  
RENEWAL -----  
LICENSE -----

3. OTHER -----

SIGNED  
DATE

SC  
9/3/96

*Termination*  
**FEE EXEMPT**

RECEIVED BY LFDCB	
Date	<u>August 22, 1996</u>
Log	<u>Aug 12 I</u>
By	<u>SC</u>
Date Completed	<u>9/3/96</u>