

APPLICATION FOR MATERIAL LICENSE

INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION. SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.

FEDERAL AGENCIES FILE APPLICATIONS WITH:

U.S. NUCLEAR REGULATORY COMMISSION
DIVISION OF FUEL CYCLE AND MATERIAL SAFETY, NMSS
WASHINGTON, DC 20555

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS, IF YOU ARE LOCATED IN:

CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE, MARYLAND, MASSACHUSETTS, NEW JERSEY, NEW YORK, PENNSYLVANIA, RHODE ISLAND, OR VERMONT, SEND APPLICATIONS TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION I
NUCLEAR MATERIAL SECTION B
631 PARK AVENUE
KING OF PRUSSIA, PA. 19406

ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, PUERTO RICO, SOUTH CAROLINA, TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA, SEND APPLICATIONS TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION II
MATERIAL RADIATION PROTECTION SECTION
101 MARIETTA STREET, SUITE 2900
ATLANTA, GA 30333

IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION III
MATERIALS LICENSING SECTION
799 ROOSEVELT ROAD
GLEN ELLYN, IL 60137

ARKANSAS, COLORADO, IDAHO, KANSAS, LOUISIANA, MONTANA, NEBRASKA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, SOUTH DAKOTA, TEXAS, UTAH, OR WYOMING, SEND APPLICATIONS TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
MATERIAL RADIATION PROTECTION SECTION
611 RYAN PLAZA DRIVE, SUITE 1000
ARLINGTON, TX 76011

ALASKA, ARIZONA, CALIFORNIA, HAWAII, NEVADA, OREGON, WASHINGTON, AND U.S. TERRITORIES AND POSSESSIONS IN THE PACIFIC, SEND APPLICATIONS TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION V
MATERIAL RADIATION PROTECTION SECTION
1450 MARIA LANE, SUITE 210
WALNUT CREEK, CA 94596

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTION.

1. THIS IS AN APPLICATION FOR (Check appropriate item):

- ☒ A. NEW LICENSE
☐ B. AMENDMENT TO LICENSE NUMBER _____
☐ C. RENEWAL OF LICENSE NUMBER _____

2. NAME AND MAILING ADDRESS OF APPLICANT (Include Zip Code):

M.A.E.-West INCORPORATED
41 Eagles Road
Beckley, WV 25801

3. ADDRESS(ES) WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED:

M.A.E. WEST Preparation Plant (old Ferrell #17 Mine)
Boone County, WV

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Mike Milam

TELEPHONE NUMBER

304-253-2721

SUBMIT ITEMS 5 THROUGH 11 ON 8 1/2 x 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.

5. RADIOACTIVE MATERIAL

a. Element and mass number, b. chemical and/or physical form, and c. maximum amount which will be possessed at any one time.

6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING AND EXPERIENCE.

8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.

9. FACILITIES AND EQUIPMENT

8511010260 850408
REG 2 LIC 30
47-23071-01 PDR

10. RADIATION SAFETY PROGRAM.

11. WASTE MANAGEMENT

12. LICENSEE FEES (See 10 CFR 170 and Section 170.31)

FEE CATEGORY 3P AMOUNT ENCLOSED \$ 230.00

13. CERTIFICATION. (Must be completed by applicant). THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.

THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, AND 40 AND THAT ALL INFORMATION CONTAINED HEREIN, IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.

WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948, 62 STAT. 749 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 JURISDICTION.

SIGNATURE—CERTIFYING OFFICER

TYPED/PRINTED NAME

TITLE

DATE

Mike Milam

Mike Milam

ENGINEER/RAD. SAFETY OFF. 3-22-85

14. VOLUNTARY ECONOMIC DATA

a. ANNUAL RECEIPTS

<\$250K	\$1M-1.5M
\$250K-500K	\$3.5M-7M
\$500K-750K	\$7M-10M
\$750K-1M	>\$10M

b. NUMBER OF EMPLOYEES (Total for entire facility excluding outside contractors)

c. NUMBER OF BEDS

d. WOULD YOU BE WILLING TO FURNISH COST INFORMATION (Dollar and/or staff hours) ON THE ECONOMIC IMPACT OF CURRENT NRC REGULATIONS OR ANY FUTURE PROPOSED NRC REGULATIONS THAT MAY AFFECT YOU? (NRC regulations permit it to protect confidential commercial or financial—proprietary—information furnished to the agency in confidence)

☐ YES

☐ NO

FOR NRC USE ONLY

TYPE OF FEE

FEE LOG

FEE CATEGORY

COMMENTS

APPROVED BY

AMOUNT RECEIVED

CHECK NUMBER

DATE

\$230

90039

4/9/85

30534

PRIVACY ACT STATEMENT

Pursuant to 5 U.S.C. 552a(e)(3), enacted into law by section 3 of the Privacy Act of 1974 (Public Law 93-579), the following statement is furnished to individuals who supply information to the Nuclear Regulatory Commission on NRC Form 313. This information is maintained in a system of records designated as NRC-3 and described at 40 Federal Register 45334 (October 1, 1975).

1. **AUTHORITY:** Sections 81 and 161(b) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2111 and 2201(b)).
2. **PRINCIPAL PURPOSE(S):** The information is evaluated by the NRC staff pursuant to the criteria set forth in 10 CFR Parts 30, 32, 33, 34, 35 and 40 to determine whether the application meets the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations, for the issuance of a radioactive material license or amendment thereof.
3. **ROUTINE USES:** The information may be (a) provided to State health departments for their information and use; and (b) provided to Federal, State, and local health officials and other persons in the event of incident or exposure, for their information, investigation, and protection of the public health and safety. The information may also be disclosed to appropriate Federal, State, and local agencies in the event that the information indicates a violation or potential violation of law and in the course of an administrative or judicial proceeding. In addition, this information may be transferred to an appropriate Federal, State, or local agency to the extent relevant and necessary for an NRC decision or to an appropriate Federal agency to the extent relevant and necessary for that agency's decision about you.
4. **WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL OF NOT PROVIDING INFORMATION:** Disclosure of the requested information is voluntary. If the requested information is not furnished, however, the application for radioactive material license, or amendment thereof, will not be processed. A request that information be held from public inspection must be in accordance with the provisions of 10 CFR 2.790. Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned need to inspect the document.
5. **SYSTEM MANAGER(S) AND ADDRESS:** U.S. Nuclear Regulatory Commission
Director, Division of Fuel Cycle and Material Safety
Office of Nuclear Material Safety and Safeguards
Washington, D.C. 20555

ITEMS 5 AND 6 -- GAUGES 3401 AND 3411 -- 5A, 5B, 6-1

The radioactive materials that will be used in the instrument are: an eight millicurie glass bead source of cesium - 137 to provide gamma radiation for the density measurement and a forty millicurie americium - 241 beryllium source yielding seventy thousand neutrons per second for the moisture determination. Both sources are doubly encapsulated in stainless steel and fusion welded. There will be no excess radioactive material kept "on hand" by the company; only that material which is in the machine will be possessed by the company at one time. Once used up, the instrument will be sent back to the manufacturer where the radioactive waste will be disposed of in a means acceptable to the Nuclear Regulatory Commission.

ITEM 7

Mike Milam is the designated company Radiation Safety Officer and will attend the Troxler Nuclear Gauge Training Course.

ITEM 8

Each person that will operate the instrument will attend the Troxler training seminar. The company Radiation Safety Officer (as listed in Items 4 and 7) will be responsible for keeping a copy of each individual's training certificate on file.

ITEM 9

See Attachment.

ITEM 10

See Attachment.

ITEM 11

The instrument will be returned to the manufacturer where the radioactive material will be disposed of in a means acceptable to the Nuclear Regulatory Commission.

ITEM 10 -- RADIATION SAFETY PROGRAM

A. Radiation Protection Officer

1. Mike Milam has been designated as the company Radiation Safety Officer and will assume the duties and responsibilities that include:
 - a. To assure that all terms and conditions of the license are being met and that the information contained in the license is up-to-date.
 - b. To insure that the equipment is maintained and tested in a timely manner. This is to include the leak test as prescribed by Troxler Electronic Laboratories.
 - c. To assure that the equipment is used by only those individuals who have been authorized by the Radiation Protection Officer, and that all users of the equipment wear the personnel monitoring device when utilizing the equipment.
 - d. To be responsible for providing training sessions for the people that will be using the gauge.
 - e. To maintain the records as required by the license and the regulations. These records are to include personnel exposure records, leak test records, and training certificates for those who use the equipment.
 - f. To assure that the equipment is properly secured against unauthorized removal, at all times, when not in use.
 - g. To serve as a point of contact and give assistance in case of emergency (such as the equipment being damaged or theft) and to be responsible for notifying the proper authorities should an emergency arise.
 - h. To be responsible for the proper disposal of the radioactive waste; that is, to make sure that the radioactive waste is disposed of in such a manner that is acceptable to the Nuclear Regulatory Commission.
 - i. To assure that all users have read and understand the Radiation Safety Operating and Emergency Procedures.

II. OPERATING PROCEDURES

A. Transportation of Equipment

1. Upon transportation of the equipment, all possible means shall be provided to insure that the equipment is fully secured in the transporting vehicle and the equipment is away from the passenger compartment. When transporting in an enclosed vehicle (blazer or van), the vehicle will be locked. When transporting in an open bed vehicle, the gauge should be securely fastened and locked to the bed.
2. The gauge will be transported in the Troxler transportation case. The U. S. Department of Transportation requires the gauge be transported in a properly labeled carrying case.

B. Utilization Procedures

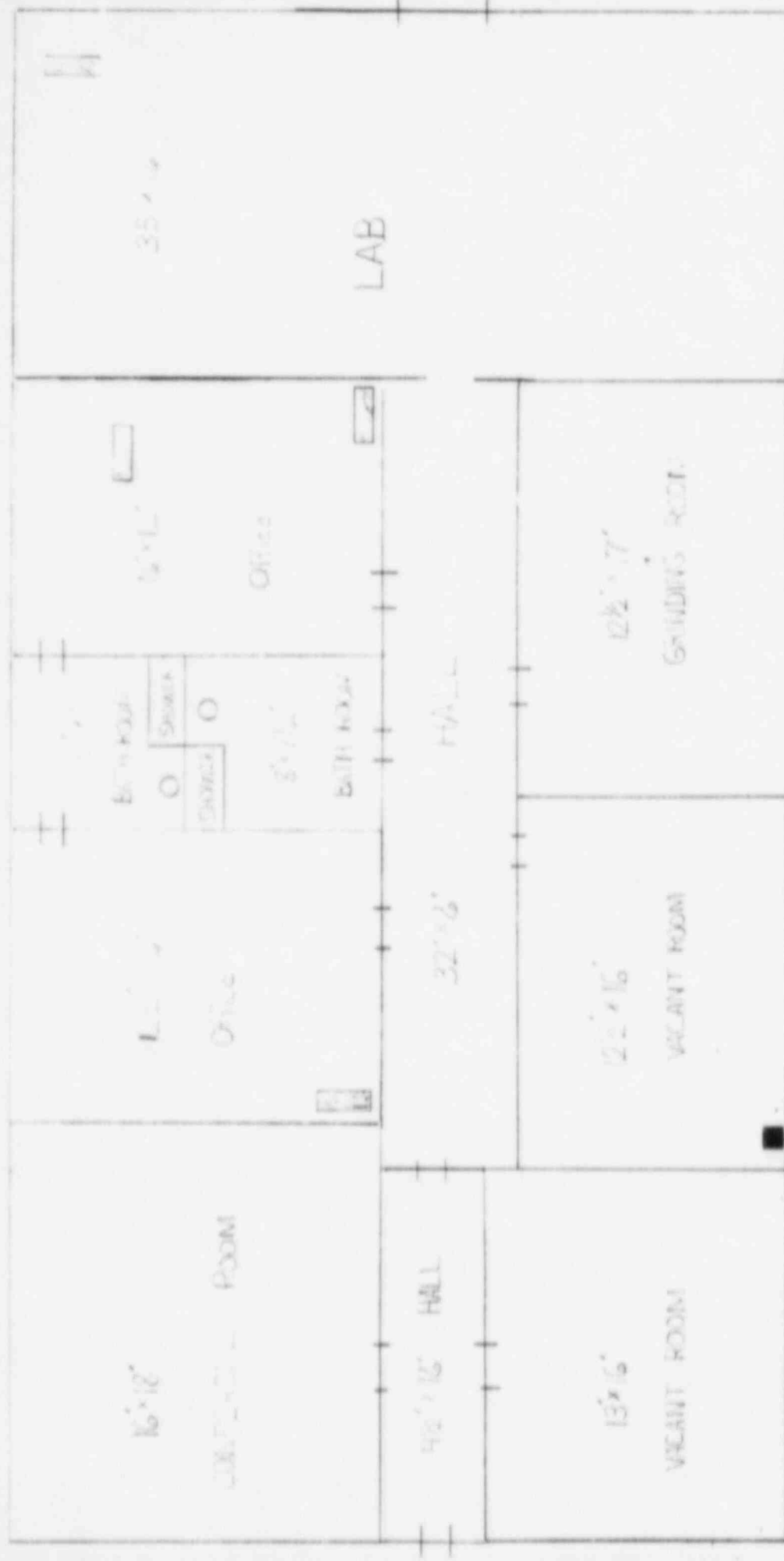
1. The gauge will be removed from its storage area only by an authorized person (trained in the use of the equipment). When in the field, the user will maintain control over the gauge at all times. The gauge must never be left unattended.
2. When not in use, the gauge will be placed in the transportation case and returned to its permanent storage area as prescribed in 2-A.-1, 2. The gauge is to be used for its intended use only and by adhering to the plan any radiation exposure will be kept to a minimum.
3. When using the equipment, the user will wear the personnel monitoring device that has been assigned to him. When he is not using the device, his monitoring equipment is to be stored in the radiation-free area that has been designated in the office.

C. Maintenance and Leak Test Procedures

1. Periodic maintenance will include cleaning the gauge. During any maintenance, the personnel monitoring device must be worn.
2. No maintenance will be carried out on the device which requires the removal of the radioactive source from the gauge. For this type of maintenance, the gauge will be returned to the manufacturer.
3. The leak test will be performed in using the Troxler Model 3880 Leak Test Kit. This leak test will be performed under manufacturer's instructions. Again, the personnel monitoring device will be worn and every precaution will be taken to limit radiation exposure. The gauges will be tested at intervals not to exceed six months.

III EMERGENCY PROCEDURES

- A. In the event of physical damage to the gauge, the following steps will be taken:
1. An area 15' in radius will be cordoned off around the gauge.
 2. If a vehicle is involved, it must be stopped until the extent of contamination, if any, can be established.
 3. A visual inspection of the gauge will be made to determine, if possible, if the source housing/shielding has been damaged.
 4. At the earliest possible time after the situation is under control, you must contact Paul Guinn (Radiation Safety Officer) at 404-221-5554. The existing conditions will be described to the Radiation Safety Officer and his instructions will be followed.
- B. In the event the gauge is stolen, the Radiation Safety Officer will be notified immediately as listed above in Item 3-A-4.



PROPOSED GUAGE STORAGE AREA — ■

TWO PERSONS SHALL HAVE KEYS TO THE ROOM: THE LAB SUPERVISOR & THE SAFETY OFFICER.
 THE GUAGE WILL BE STORED IN THE VACANT ROOM AS SHOWN ABOVE.
 THE DISTANCE TO THE NEAREST OCCUPIED AREA IS 19 feet.