

**OFFICIAL RECORD COPY****MATERIALS LICENSE**

Amendment No. 1

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

1. Mate Creek Energy of  
West Virginia, Inc.
2. P.O. Box 343  
Red Jacket, West Virginia 25692

In accordance with letter dated February 19, 1997  
3. License Number

47-25139-01

is amended in its entirety to read as follows:

4. Expiration Date

April 30, 2001 (Extended)

5. Docket or  
Reference No.

030-32405

6. Byproduct, Source, and/or  
Special Nuclear Material7. Chemical and/or Physical  
Form8. Maximum Amount that Licensee  
May Possess at Any One Time  
Under This License

A. Cesium 137

A. Sealed source registered  
pursuant to 10 CFR 32.210  
or an equivalent Agreement  
State Regulation

A. 60 millicuries, not to exceed 20  
millicuries per source

B. Americium 241

B. Sealed neutron source  
registered pursuant to 10  
CFR 32.210 or an equivalent  
Agreement State Regulation

B. 900 millicuries, not to exceed 300  
millicuries per source

9. Authorized Use:

A. and B. Sealed source(s) contained in compatible non-portable gauging devices (registered pursuant 10 CFR 32.210 or an equivalent Agreement State regulation) for measuring properties of materials and/or controlling industrial processes.

100081

## CONDITIONS

10. Licensed material shall be used only at the licensee's facilities located on State Route 6, 2.5 miles southeast of the Red Jacket, West Virginia Post Office, Mingo County, West Virginia.

11. The Radiation Safety Officer for this license is Harold E. King, Jr.

9704100197 970314  
PDR ADOCK 03032105  
C PDR

o/h  
ML 20

MATERIALS LICENSE  
SUPPLEMENTARY SHEET

License Number 47-25139-01

Docket or Reference Number 000-32105

Amendment No. 1

(continued)

CONDITIONS

12. Licensed material shall be used by, or under the supervision of, Harold E. King, Jr., Kenneth R. Lowe, Thomas E. King, John P. Potter, or Michael H. Anderson.
13. A. (1) Sources specified in Item 7.A and 7.B shall be tested for leakage and/or contamination at intervals not to exceed 6 months. Any source which is received from another person which is not accompanied by a certificate indicating that a test was performed within 6 months before the transfer shall not be put into use until tested.
- (2) Any source in storage and not being used need not be tested. When the source is removed from storage for use or transfer to another person, it shall be tested before use or transfer.
- B. The test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie or more of removable contamination, the source shall be removed from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. A report shall be filed within 5 days of the date the leak test result is known with the U. S. Nuclear Regulatory Commission, Region II, Division of Nuclear Materials Safety, Nuclear Material Licensing/Inspection Branch, 101 Marietta Street, Suite 2900, Atlanta, Georgia 30323. The report shall specify the source involved, the test results, and corrective action taken. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission. Records may be disposed of following Commission inspection.
- C. Test samples for leakage and/or contamination may be collected by the licensee for analysis by Scan Technologies or tests shall be performed by other persons specifically licensed by the Commission or an Agreement State to perform such services.
14. Installation, initial radiation survey, relocation, or removal from service of devices containing sealed sources shall be performed by Scan Technologies or by persons specifically licensed by the Commission or an Agreement State to perform such services. Maintenance and repair of devices and installation, replacement, and disposal of sealed sources shall be performed only by persons specifically licensed by the Commission or an Agreement State to perform such services.
15. Sealed sources containing licensed material shall not be opened or removed from their respective source holders by the licensee.
16. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under this license. Records of inventories shall be maintained for 2 years from the date of each inventory.

MATERIALS LICENSE  
SUPPLEMENTARY SHEET

License Number 47-25139-01

Docket or Reference Number 000-32105

Amendment No. 1

(continued)

CONDITIONS

17. The licensee shall maintain records of information important to safe and effective decommissioning at the licensee's facilities located on State Route 6, 2.5 miles southeast of the Red Jacket, West Virginia Post Office, Mingo County, West Virginia in accordance with the provisions of 10 CFR 30.35(g) until this license is terminated by the Commission.
18. 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 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 27, 1991
- B. Letters dated:
- April 19, 1991
  - NRC letter dated March 1, 1996 (extends expiration date in accordance with 10 CFR 30.36)
  - February 19, 1997 (change RSO, add users)

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

JAY L. HENSON

Date MAR 14 1997

*Handwritten signature/initials*

N:\mlicense\47-25139.a01

By

*Handwritten signature of Jay L. Henson*  
Region II, Division of Nuclear Materials Safety  
101 Marietta Street, N.W., Suite 2900  
Atlanta, Georgia 30323

## BETWEEN:

License Fee Management Branch, ARM  
and  
Regional Licensing Sections

: (FOR LFMS USE)  
: INFORMATION FROM LTS  
: -----  
:

: Program Code: 03120  
: Status Code: 0 1997 MAR -3 AM 11:49  
: Fee Category: 3P  
: Exp. Date: 20010430  
: Fee Comments: 2M 4-2  
: Decom Fin Assur Req'd: N  
: .....

## LICENSE FEE TRANSMITTAL

A. REGION II

## 1. APPLICATION ATTACHED

Applicant/Licensee: MATE CREEK ENERGY OF WV, INC.  
Received Date: 970225  
Docket No: 3032105  
Control No.: 257402  
License No.: 47-25139-01  
Action Type: Amendment

## 2. FEE ATTACHED

Amount: 300.00  
Check No.: 1540

## 3. COMMENTS

Signed DIANE HEIM  
Date 2/26/97

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

1. Fee Category and Amount: 3P \$300

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

Amendment ☒  
Renewal ☐  
License ☐

## 3. OTHER

Signed Pete Messier  
Date 3/4/97

Log	<u>Mar 1 II</u>
Remitter	
Check No.	<u>1540</u>
Amount	<u>\$300</u>
Fee Category	<u>3P</u>
Type of Fee	<u>and</u>
Date Check Rec'd.	
Date Completed	<u>3/4/97</u>
By:	<u>sem</u>

## ***Mate Creek Energy of West Virginia, Inc.***

P.O. Box 343 • Red Jacket, WV 25892 • Telephone (304) 426-4414 • Fax (304) 426-4537

February 19, 1997

Ms. Diane Heim  
U.S. Nuclear Regulatory Commission, Region II  
101 Marietta Street, N. W., Suite 2900  
Atlanta, Georgia 30323-0199

License Number 47-25139-01

Cert. Number P 547 781 380

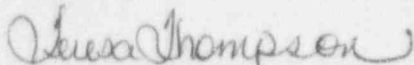
Dear Ms. Heim:

Please find enclosed a check in the amount of Three hundred dollars and no cents (\$300.00) for an amendment fee and a copy of each employee's Radiation Safety Training Certificate whom we wish to add as individuals working and responsible for radiation safety.

Ronald E. Gallimore, II is leaving the company and Mate Creek Energy of WV, Inc. is requesting that Harold King, Jr. be change to the Radiation's Protection Officer for the activities authorized by this license.

If further information is needed please call (304) 426-4414.

Sincerely,



Teresa Thompson  
Office Manager  
Mate Creek Energy of WV, Inc.

Enclosures:

257402



# COALSCAN

Kenneth R. Lowe

*has successfully completed the  
Short Course in Radiation Safety  
for COALSCAN Users*

February 6, 1997

*Walter Ramsey*  
General Manager

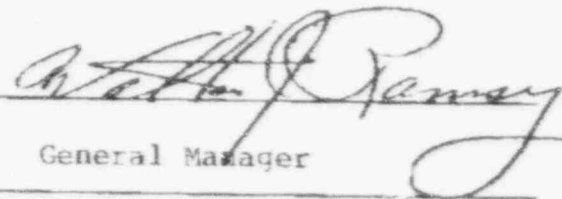


# COALSCAN

Thomas E. King

*has successfully completed the  
Short Course in Radiation Safety  
for COALSCAN Users*

February 6, 1997

  
General Manager

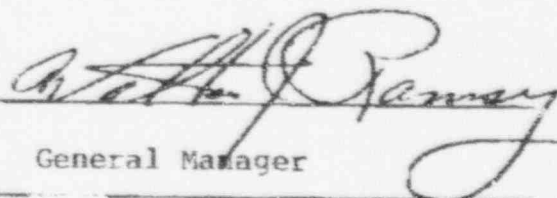


# COALSCAN

Thomas E. King

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February 6, 1997

  
General Manager