

MATERIALS LICENSE

Amendment No. 03

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, 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. Westmoreland Coal Company
2. Drawer A&B
Big Stone Gap, Virginia 24219

In accordance with application dated
July 30, 1987

3. License number 45-21126-01 is amended in
its entirety to read as follows:

4. Expiration date August 31, 1992

5. Docket or
Reference No. 030-19815

6. Byproduct, source, and/or
special nuclear material

- A. Cesium 137

- B. Americium 241

7. Chemical and/or physical
form

- A. Sealed sources
(Troxler Dwg. A-102112)

- B. Sealed neutron sources
(Troxler Dwg. A-102451)

8. Maximum amount that licensee
may possess at any one time
under this license

- A. Not to exceed 10
millicuries per
source

- B. Not to exceed 50
millicuries per
source

9. Authorized use

- A. and B. For use in Troxler Series 3400 gauges for density/moisture measurements on
construction materials.

CONDITIONS

10. Licensed material may be used at 314 Wood Avenue, Big Stone Gap, Virginia and at temporary job sites of the licensee anywhere in the United States where the U.S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material.
11.
 - A. Licensed material shall be used by, or under the supervision and in the physical presence of, John Brandon Pachol or individuals who have been trained as specified in application dated July 30, 1987. The licensee shall maintain records of individuals designated as users.
 - B. The Radiation Protection Officer for the activities authorized by this license is John Brandon Pachol.

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MATERIALS LICENSE
SUPPLEMENTARY SHEET

License number

45-21126-01

Docket or Reference number

030-19815

Amendment No. 03

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CONDITIONS

12. A. (1) The source(s) specified in Item(s) 7.A. and 7.B. shall be tested for leakage and/or contamination at intervals not to exceed 6 months. Any source 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) Notwithstanding the periodic leak test required by this condition, any licensed sealed source is exempt from such leak tests when the source contains 100 microcuries or less of beta and/or gamma emitting material or 10 microcuries or less of alpha emitting material.
- B. 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.
- C. 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 Radiation Safety and Safeguards, Nuclear Material Safety Section, 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.
- D. The licensee is authorized to collect leak test samples for analysis by Troxler Electronic Laboratories or tests for leakage and/or contamination shall be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.
13. Sealed sources containing licensed material shall not be opened or removed from the devices by the licensee.
14. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 2 years from the date of each inventory.
15. The licensee may transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

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SUPPLEMENTARY SHEET**

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(cont'd)

CONDITIONS

16. 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.

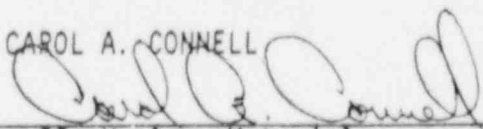
- Application dated July 30, 1987.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

CAROL A. CONNELL

Date AUG 14 1987

By


Region II, Nuclear Materials
Safety Section
101 Marietta Street, Suite 2900
Atlanta, GA 30323