



NERCO COAL CORP.
2043 WOODLAND PARKWAY
ST. LOUIS, MISSOURI 63146
TELECOPIER (314) 993-8391
TELEPHONE (314) 993-2625

MAILING ADDRESS: P.O. BOX 66989, ST. LOUIS, MISSOURI 63166

December 12, 1986

Ms. Joy Marshall
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive, Suite 1000
Arlington, TX 76011

(030-29770)
(46 26875)

Re: License #3623179-01 Antelope Coal Company

Dear Ms. Marshall:

This letter is in response to your telephone call of December 11, 1986.

Antelope Coal Company applied for and obtained the above license prior to the time that its mine entered production. At that time, all permitting and regulatory matters were handled by our office at 101 S.W. Main, Suite 1100, Portland, OR 97204. The mine began coal production in November, 1985 and since that time has assumed responsibility for its own regulatory compliance.

Antelope Coal Company, therefore, requests that License #3623179-01 be amended to show the correct mailing address of:

Antelope Coal Company
P.O. Drawer 1450
Douglas, Wyoming 82633-1450

Telephone (307) 464-1133

In addition, we request that the responsible party be changed from Dennis L. Adamczyk to Paul W. Musselman, Mine Manager.

In accordance with your instructions, I am enclosing a check in the amount of \$60.00 for processing the amendment. We would appreciate receiving a receipt by return mail to the Mine's address.

Thank you for your assistance.

Sincerely,

Michael B. Eidlin
Manager, Construction

8801280363 870511
REQ4 LIC30 PDR
49-26875-01

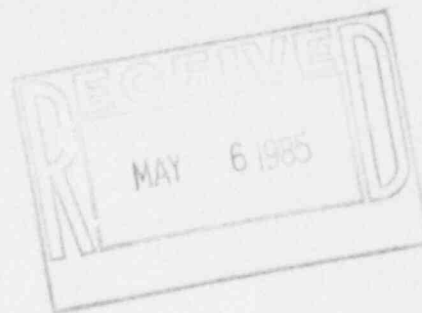
cc: P. Musselman
J. Kandolin
J. Phillips

46/415

NERCO MINING COMPANY
101 S.W. MAIN, SUITE 1300
PORTLAND, OR 97204-3221
TELECOPIER: 503-796-6366
TELEPHONE: 503-796-6600



April 30, 1985



U.S. Nuclear Regulatory Commission, Region IV
Material Radiation Protection Section
611 Ryan Plaza Dr., Suite 1000
Arlington, TX 76011

Attn: Ms. Joy Marshall

Subject: Application for Material License Antelope Coal Company

Dear Ms. Marshall:

Enclosed is Antelope Coal Company's application for a materials license for the installation of a Single Point Level System at the Antelope Mine now under construction. Enclosed with the application is the required fee of \$230.00 for fee category 1(J).

Should you have any questions regarding the application, please call me directly at (503) 796-6787 for assistance. Thank you again for your help in responding to my questions over the phone.

Sincerely,

Dennis L. Adamczyk
Director of Construction Permitting

0223g/ck

8506290486 850618
REG4 LIC30
36-23179-01 PDR

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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 30323

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 60117

ARKANSAS, COLORADO, DAHO, 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 DRIVE, SUITE 210
WALNUT CREEK, CA 94596

030-28685

L4L 23179

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)

Antelope Coal Company
101 S.W. Main, Suite 1300
Portland, Oregon 97204

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

Antelope Coal Mine
Antelope Creek and Converse County Road 37
North of Douglas, Wyoming 82633

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Dennis Adamczyk

TELEPHONE NUMBER

(503) 796-6787

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

10. RADIATION SAFETY PROGRAM

11. WASTE MANAGEMENT

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

FEE CATEGORY 1 (J) 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, 31, 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

Dennis Adamczyk

TYPED/PRINTED NAME

Dennis Adamczyk

TITLE Director of
Construction Permitting

DATE

4/29/85

14. VOLUNTARY ECONOMIC DATA

a. ANNUAL RECEIPTS

<\$250K	\$1M-3.5M
\$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 GIL	FEE LOG May IV	FEE CATEGORY 3P	COMMENTS 8508290490-850618 REG 4 LIC 30 36-23179-01 PDR	APPROVED BY Francis Brown
AMOUNT RECEIVED \$230	CHECK NUMBER 000470	DATE 5/21/85		

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

ANTELOPE COAL COMPANY
APPLICATION FOR MATERIAL LICENSE
SUPPLEMENTAL INFORMATION

Item 5

- a) CS 137
- b) Sealed Source
- c) 50 mCi

Item 6

Installed within a Kay-Ray Single Point Level System to be installed at the Antelope Mine coal processing facilities.

Item 7

- a) At the time of start-up, a representative of the manufacturer will provide any specific training necessary for the safe operation of the system. Radiation protection procedures have previously been devised and submitted. As the scope of this license application does not include handling of the device containing radioactive material, further formal training is not indicated.

At the present time, none of the individuals named as users or the radiation protection officer have had prior experience with radioactive material.

Following installation of the sealed source, Mr. Don Burkhart will be designated the Radiation Protection Officer. Additional users may include Mr. David Stapley, Construction Engineer, and the Coal Plant Supervisor (not yet filled).

The only by-product materials, sealed sources and devices to be used by the applicant are limited to the system for which this application is being made and its use will be limited to that approved by the NRC.

- b) Only the individuals authorized by this license will be authorized to use or supervise the use of the device.
- c) See radiation protection program.
- d) See radiation protection program.

Item 8

Please see response to Item 7.

460628

Item 9

- a) CS 137
- b) Sealed Source
- c) Kay-Ray 7700
- d) 50 mCi
- e) Installed within a Kay-Ray Single Point Level System to be used at the Antelope Mine coal processing facilities.
- f) For possession and use in Kay-Ray devices which have been evaluated and approved for licensing purposes and authorized for distribution under a license issued by the Nuclear Regulatory Commission or any Agreement State.
- g) Personnel monitoring devices are not necessary. For supporting documentation see the description of the radiation protection program.

Item 10

RADIATION PROTECTION PROGRAM

I Sketch of Installation

The enclosed drawings (C04-102-00, OM-M-21201 and OM-M-21202) provide the specifics of the installation of the Kay-Ray sealed source Single Point Level System. All equipment will be located and mounted in accordance with the recommendations of the manufacturer.

II Radiation Survey, Servicing, Maintenance, etc.

Initial radiation survey, servicing, maintenance, relocation and repair of the source holder will be performed by Kay-Ray.

III Control Measures

If maintenance is required inside the chute containing the Single Point Level System, access will not be allowed without specific authorization of the Radiation Protection Officer. Warning signs requiring "no access without authorization of the Radiation Protection Officer" will be posted at all entrances to the chute superstructure. Prior to allowing access, the Radiation Protection Officer will lock the source head in the "store" position before allowing access of maintenance personnel to the chute area.

460628

IV Leak Testing

Kay-Ray will perform leak testing on the source holder. The leak test kit used by Kay-Ray is the Kay-Ray, Inc. Model A Kit, which has been approved by the NRC for use in the source wiping of Kay-Ray source holders.

Antelope Coal Company requests that our license be worded to allow a 3-year source wipe interval on the device listed above. An extension has recently been granted to Kay-Ray allowing a 3-year interval for source wiping and we wish to have our license reflect this extended test period.

V Procedure to be followed in Event of Damage to Source Housing

The following procedure will be used in the event of damage to the source housing:

1. This procedure applies to all instances where damage is incurred by the source holder due to such action as fire, etc.
2. Immediately rope off the area around the source holder. Use the following formula to determine the rope-off radius in feet.
$$R = \sqrt{0.7 \times (\text{source size, mCi})}$$
For example, if you have a 100mCi source, $R = \sqrt{70} = 8.4 \text{ ft.}$
3. Inform plant Radiation Protection Officer or person responsible for the use of the source as to the situation.
4. Inform by phone or telegram the proper regional NRC office of the accident.
5. Notify Kay-Ray at (312) 259-5600 if their assistance is desired.
6. Limit access to source head until a radiation survey and source wipe can be performed by qualified personnel or a representative.

IV On-site Monitoring Equipment

If determined necessary by the NRC, Antelope Coal Company will acquire one G.M. Tube Survey instrument, Eberline Model E-130, gamma detector - 0.5, 5 and 50 mR/hr. This instrument will be calibrated at 6 month intervals by Kay-Ray, Inc.; 516 W. Campus Dr., Arlington Heights, Illinois 60004; License No. 11184-01.

Item 11

Sealed sources and devices will be returned to supplier for disposal.