



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
2100 RENAISSANCE BLVD.
KING OF PRUSSIA, PA 19406-2713

November 5, 2021

D. Edward Brown
SVP & Chief Engineering Officer
Rockwell Mining, LLC
250 W. Main Street, Suite 2000
Lexington, KY 40509

SUBJECT: ROCKWELL MINING, LLC, REQUEST FOR ADDITIONAL INFORMATION,
MAIL CONTROL NO. 628566

Dear Mr. Brown:

This is in reference to your application dated August 31, 2021, requesting to renew NRC License No. 47-24809-01. In order to continue our review, we need the following additional information. Please be aware that "Item" number references below are referring to NUREG 1556, Volume 4, Revision 1, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Fixed Gauge Licenses".

1. Information Only, No Response Needed – We have updated the mailing location, senior licensing point of contact, and contact information.
2. Items 5 and 6, Materials To Be Possessed and Proposed Uses – Your application included a request to possess and utilize Cs-137 and Am-241 in Coalscan Model 3500 devices, however your application did not include a request for the specific activity per source or number of gauges requested. Your current license authorizes the possession and utilization of 20 mCi of Cs-137 and 300 mCi of Am-241 total, with no single sources exceeding the maximum activity specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State.

Please provide the specific activity per source and number of gauges you seek authorization to possess and utilize.

3. Item 7.2, Individual(s) Responsible For Radiation Safety Program and Their Training and Experience - Authorized Users – Your application did not include a commitment concerning the training of authorized users. Please state the following:

"Before using licensed materials, authorized users will have successfully completed one of the training courses described in the "Criteria" part of the section titled, "Authorized Users" in NUREG-1556, Volume 4, Revision 1, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Fixed Gauge Licenses."

4. Item 10.8, Radiation Safety Program – Maintenance - License Condition 17.A of your current license amendment authorizes Cecil Sharp or other individuals who have completed the training specified in the letter dated March 13, 2008, to perform specific

activities including “installation, relocation, removal from service, and storage of the gauges disposal (sic)”. Your application dated August 31, 2021 stated that “The gauge manufacturer, distributor, or other person authorized by the NRC or an Agreement State will perform nonroutine operations such as installation, initial radiation survey, repair and maintenance of radiological components, relocation, replacement, alignment, removal from service, and disposal of sealed sources”.

- a. Please confirm you are seeking to remove the current authorization for Cecil Sharp and others with the stated training to perform the specific activities listed above; OR
- b. Provide the alternative procedures requested under Item 10.8 containing the pertinent information listed in Appendix J of the subject NUREG.

We will continue our review upon receipt of this information. Please reply to my attention at Jonathan.Pfingsten@nrc.gov.

In order to continue prompt review of your application, we request that you submit your response to this letter within 30 calendar days from the date of this letter.

An electronic version of the NRC’s regulations is available on the NRC Web Site at: www.nrc.gov. Additional information regarding use of radioactive materials may be obtained on the NRC Web Site at: <http://www.nrc.gov/materials/miau/mat-toolkits.html>. This site also provides the link to the toolbox for updated information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

In accordance with 10 CFR 2.390 of the NRC’s “Rules of Practice,” a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC’s document system (ADAMS). ADAMS is accessible from the NRC Web Site at: <http://www.nrc.gov/reading-rm/adams.html>. Please be aware that you may request that certain portions of your submittal to NRC be withheld from public disclosure as proprietary information. To do this, you must execute an affidavit as specified in 10 CFR 2.390. You must list all portions that you wish to be held proprietary, along with your reasoning as to why that is appropriate. While it is allowable, please refrain from submitting proprietary information in support of a license unless necessary. Keep in mind that all NRC licenses are considered to be in the public domain, and therefore may be viewed by any member of the public who requests to see them.

D. Brown

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If you have any questions regarding this request for additional information, please contact me at 610-337-5170 or via electronic mail at Jonathan.Pfingsten@nrc.gov.

Thank you for your cooperation.

Sincerely,

**Jonathan B.
Pfingsten**

Digitally signed by
Jonathan B. Pfingsten
Date: 2021.11.05 07:22:25
-04'00'

Jonathan Pfingsten, Health Physicist
Commercial, Industrial, R&D
and Academic Branch
Division of Radiological Safety and Security
Region I

License No. 47-24809-01
Docket No. 03028938
Mail Control No. 628566

cc: Erman Moore, Radiation Safety Officer

ROCKWELL MINING, LLC, REQUEST FOR ADDITIONAL INFORMATION, MAIL CONTROL
NO. 628566 DATED NOVEMBER 5, 2021

DOCUMENT NAME: **G:\WBL Documents\WBL License RAIL\47-24809-01.628566.RAI.docx**

SUNSI Review Complete: Jonathan Pfingsten

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