



March 3, 2009

Docket No. 03032497  
Control No. 143134

License No. 47-25168-01

Marvin E. Daniels  
Manager/Radiation Safety Officer  
CONSOL of Kentucky, Inc.  
P. O. Box 76  
Route 65, Big Branch Road  
Naugatuck, WV 25685

SUBJECT: CONSOL OF KENTUCKY, INC., LICENSE AMENDMENT, CONTROL  
NO. 143134

Dear Mr. Daniels:

This refers to your letter dated December 18, 2008, describing the merger of Southern West Virginia Resources, LLC with CONSOL of Kentucky Inc., and requesting amendment to your license to change the name of the licensed entity. Your letter is accepted as the notification required in 10 CFR 30.34, and pursuant to your request, the above listed license is amended. Enclosed with this letter is the amended license.

We could not authorize possession of your Scan Technologies Model 2500, on the above specific license because as you stated in your letter, the device is only authorized for distribution under the general license in 10 CFR 31.5. In addition, our records indicate that the device was acquired by Marrowbone Development Company under general license. Marrowbone Development Company was subsequently acquired by Southern West Virginia Resources in April 2005. However, you should contact the distributor of the device for advice if you find it necessary to include the device in the specific license. Please feel free to contact me at (610) 337 5364 if you have any questions in this regard. You should contact Ujagar Bhachu at (310) 415 7894 to have the name of the company changed from Marrowbone Development Company to CONSOL of Kentucky Inc. as the owner of your general licensed devices.

Please review the enclosed document carefully and be sure that you understand and fully implement all the conditions incorporated into the amended license. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5239, so that we can provide appropriate corrections and answers.

An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14).

Current NRC regulations and guidance are included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Regulations, Guidance, and Communications**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open

M. Daniels

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from 7:00 a.m. to 6:30 p.m. EST, Monday through Friday (except Federal holidays).

Thank you for your cooperation.

Sincerely,

***Original signed by Sattar Lodhi, Ph.D.***

Sattar Lodhi, Ph.D.  
Senior Health Physicist  
Materials Security and Industrial Branch  
Division of Nuclear Materials Safety

Enclosure:  
Amendment No. 06

cc:  
Joseph M. Richards, Manager Occupational Health & Safety

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**SUNSI Review Complete: SLodhi**

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