



HC 78 Box 1802
Madison, WV 25130
Phone 369-9101
Fax 369-9105

United States Nuclear Regulatory Commission
Region II
Atlanta Federal Center
61 Forsyth Street SW
Suite T85
Atlanta, GA 30303

November 6, 2001

Attn: Mr. David Collins

Re: Expedited Application for aUSNRC License

Dear Mr. Collins,

This letter and supporting documents represent an application by Endurance Mining Co. for the issuance of a USNRC Radioactive Material License. Included please find USNRC Forms 313 and attachments.

Due to an immediate need for this equipment Endurance Mining Co. requests an expedited issuance of this license. If you would have any questions please contact this office at (304)-369-9101 or our consultant Todd Mobley at (412)-835-9555.

Sincerely,

Mr. Kermit Fincham, Jr.
Chief Engineer
Endurance Mining Co.

United States Nuclear Regulatory Commission
Nuclear Materials Safety Branch
Region II
Atlanta Federal Center
61 Forsyth Street SW
Suite T85
Atlanta, GA 30303

November 6, 2001

Attn: Branch Licensing Section

Re: License Application

Item 1

New License

Item 2

Mailing Address: Endurance Mining Co.
HC 78
PO Box 1802
Madison, WV 25130

Item 3

Location of Use: West Cazy Load Out Facility
7.2 Miles up the Boone County Route 28 from Route 17 at Ottawa

Item 4

Contact Person: Robert S. Baisden PH: 304-369-9101

Item 5

<u>Am-241</u>	Sealed Source Manufacturer: Amersham Device Manuf.: Scan Technologies	Model: AMC.17 Model 9000
<u>Cs-137</u>	Sealed Source Manufacturer: Amersham Device Manuf.: Scan Technologies	Model: CDC.804 Model 9000
<u>Cf-252</u>	Sealed Source Manufacturer: Amersham Device Manuf.: Scan Technologies	Model: CVN.CY2 Model: 9000

Endurance Mining Co. requests authorization for the possession of additional measurement devices containing Cs-137, Cf-252 or Am-241 that have been approved for distribution by the USNRC or an Agreement State,

Item 6

The Am-241 devices are to be used as listed on the SSDR. Activity will not exceed the maximum activity per source or per device as specified on the SSD Registration Certificate.

The Cs-137 devices are to be used as listed on the SSDR. Activity will not exceed the maximum activity per source or per device as specified on the SSD Registration Certificate.

The Cf-252 devices are to be used as listed on the SSDR. Activity will not exceed the maximum activity per source or per device as specified on the SSD Registration Certificate.

The total possession limit of licensed material will not exceed the quantities requiring financial assurance.

Item 7

Mr. Robert S. Baisden

- 7.1 Mr. Baisden will have successfully completed a training course commensurate with the requirements as stated in NUREG 1556, Vol. 4, Appendix G
- 7.2 Authorized Users shall successfully complete a training course commensurate with the requirements as stated in NUREG 1556, Vol. 4, Appendix G

Item 8

Endurance Mining Co. shall train individuals that could exceed the limits for members of the public as required in 10CFR19.12.

Item 9

Licensed material shall be located as per the criteria in NUREG 1556, Vol. 4, Facilities and Equipment. The devices shall be secured against unauthorized removal or access.

Item 10

Surveys and Instruments

Endurance Mining Co. shall maintain calibrated survey instruments for compliance with 10CFR20.1501 or use the services of a person specifically authorized to perform such services. Survey meters shall be calibrated at least annually by a licensed vendor.

Inventory

Physical inventories of licensed material shall be performed semi-annually and records maintained as required.

Personal Monitoring

Personal monitoring shall be provided to individuals likely to receive exposures in excess of 10% of the annual limits or at the discretion of the RSO.

Operating and Emergency Procedures

Operating and Emergency Procedures will be implemented and maintained and will meet the criteria in the section entitled "Radiation Safety Program-Operating and Emergency Procedures in NUREG 1556, Vol 4.

In the event that an emergency takes place that could cause damage to licensed material or excessive radiation exposure, Endurance Mining Co. will remove the device from service, restrict access, and contact responsible individuals including manufacturer.

Notification to the USNRC shall be performed as required in 10CFR 20, 21 and 30.

Leak Testing

Leak testing of sealed sources covered under the license shall be performed at such intervals as specified in the SSDR Certificate. Analysis shall be provided by individuals licensed to perform that service.

Non-routine Maintenance

Non-routine Maintenance shall be performed by the device manufacturer or other persons authorized by the USNRC or an Agreement State.

(7-99)
10 CFR 30, 32, 33
34, 35, 36, 39 and 40

APPLICATION FOR MATERIAL LICENSE

Estimated burden per response to comply with this information collection request: 7 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Forward comments regarding burden estimate to the Information and Records Management Branch (T-6 F33), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to the Paperwork Reduction Project (3150-0120), Office of Management and Budget, Washington, DC 20503. NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

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.

APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:

DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:

IF YOU ARE LOCATED IN:

CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA, RHODE ISLAND, OR VERMONT, SEND APPLICATIONS TO:

LICENSING ASSISTANT SECTION
NUCLEAR MATERIALS SAFETY BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, PUERTO RICO, SOUTH CAROLINA, TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA, SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION II
101 MARIETTA STREET, NW, SUITE 2900
ATLANTA, GA 30323-0199

IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:

MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION III
801 WARRENVILLE RD.
LISLE, IL 60532-4351

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR WYOMING, SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
811 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TX 76011-8064

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 JURISDICTIONS.


<p>1. THIS IS AN APPLICATION FOR (Check appropriate item)</p> <p><input checked="" type="checkbox"/> A. NEW LICENSE</p> <p><input type="checkbox"/> B. AMENDMENT TO LICENSE NUMBER _____</p> <p><input type="checkbox"/> C. RENEWAL OF LICENSE NUMBER _____</p>	<p>2. NAME AND MAILING ADDRESS OF APPLICANT (Include Zip code)</p> <p>Endurance Mining Company HC 78 PO Box 1802 Madison, WV 25130</p>
---	--

<p>3. ADDRESS(ES) WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED</p> <p>West Cazy Load Out Facility - 7.2 miles up to Boone County Route 28 from Route 17 at Ottawa</p>	<p>4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION</p> <p>Robert S. Baisden</p> <p>TELEPHONE NUMBER 304-369-9101</p>
--	---

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.

<p>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.</p>	<p>6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.</p>
<p>7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE.</p>	<p>8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.</p>
<p>9. FACILITIES AND EQUIPMENT.</p>	<p>10. RADIATION SAFETY PROGRAM.</p>
<p>11. WASTE MANAGEMENT.</p>	<p>12. LICENSEE FEES (See 10 CFR 170 and Section 170.31)</p>
<p>FEE CATEGORY _____ AMOUNT ENCLOSED \$ 1300</p>	

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, 32, 33, 34, 35, 36, 39 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.

<p>CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE</p> <p>Kenneth Fincher, Jr. Chief Engineer</p>	<p>SIGNATURE</p> 	<p>DATE</p> <p>11/15/01</p>
---	---	-----------------------------

FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	