



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

March 30, 2006

Docket No. 99990001

Stephen Mazur
President
Rosini Coal Company, Inc.
P.O. Box 495
Frackville, PA 17931

SUBJECT: INSPECTION 99990001/2005033, ROSINI COAL COMPANY, INC., ROSINI
COAL COMPANY, INC., SHAMOKIN, PENNSYLVANIA

Dear Mr. Mazur:

On April 21-22, 2005, Ronald G. Rolph of this office conducted a safety inspection at the Rosini Coal Company, South 5th Street, Shamokin, Pennsylvania of activities authorized by the general license in 10 CFR 31.5. The inspection was limited to a review of the security of an out-of-service fixed gauging device containing 100 milliCuries of Cs-137. Additional information provided in the telephone conversation on June 1, 2005 and July 27, 2005 between Ms. Evelyn Mazur, of your organization and Ronald G. Rolph of this office was also examined as part of the inspection.

Within the scope of this inspection, as discussed with you, no violations were identified. However, as Mr. Rolph discussed with you on April 22, 2005, it is your responsibility to maintain the security of the licensed material contained in the gauge and dispose of it as soon as possible. On November 30, 2005, we were informed that an attempted break in occurred at the Rosini Coal Company site. We have attempted to contact you several times since November 30, 2005, most recently on March 21, 2006, and you have not responded. Since you no longer use the device and it has been in storage for approximately two years, you must provide us a schedule for the disposal of the device within 30 days of this letter.

Current NRC regulations are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, industrial, and academic uses of nuclear material**; then **toolkit index page**. The current NRC Enforcement Policy is included on the NRC's website at www.nrc.gov; select **What We Do, Enforcement**, then **Enforcement Policy**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

Certified Mail
Return Receipt Requested

S. Mazur
Rosini Coal Company, Inc.

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Your cooperation with us is appreciated.

Sincerely,

Original signed by John D. Kinneman

John D. Kinneman, Chief
Security and Industrial Branch
Division of Nuclear Materials Safety

cc:
Commonwealth of Pennsylvania

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SISP Review Complete: RRolph

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