

**Massey Energy Company  
Alex Energy, Inc.,  
Superior Surface Mine**

Alex Energy, Inc.  
Superior Surface Mine  
PO Box 1078  
Holden, WV 25625

*NMSB 3*

April 12, 2007

United States Nuclear Regulatory Commission  
Nuclear Materials Safety Branch 3  
Division of Nuclear Materials Safety, Region 1  
King of Prussia, PA 19406

*03036608*

Dear Jim Schmidt or Sattar Lodhi,

Please refer to the NRC, material license number 47-30927-01, which is already in place at our Alex Energy, Inc. - Superior Surface Mine near Holden, WV 25625.

**Request**

Please consider the following new location for the Cs-137 sources to be used. These sources will be used to control level in a concrete cylindrical vessel, which is used to store coal. This coal is then to be transferred to the Elk Run Coal preparation plant by means of a conveying system. This cylinder is actually referred to as a lowering tube. These level controls operate to keep the tube from running empty or filling up which aids in steel liner wear reduction, smooth operation as well as preventing unnecessary spills.

Massey Energy Company  
Elk Run Coal Company, Inc.  
Round Bottom Transfer System  
Rt. 3, Sylvester, WV 25204  
Phone: 304-854-1890  
Fax: 304-245-3383

**Additional Contacts:**

Craig Boggs, President; Phone: 304-854-1890  
Rob Asbury, Safety Director; Phone: 304-854-1890

Massey Energy Company agrees to abide by the rules, regulations, and conditions stated in the original materials license, license number 47-30927-01, at this new location.

Due to the fast pace of this project, it would be much appreciative if in any way you could expedite your attention to this matter. The nuclear sources are being built at this time and will be ready for shipment in about 7 days. Please feel free to contact me if there is anything needed from myself, Richard Cyfers, to expedite this procedure.

*140399*

**NMSS/RGN1 MATERIALS-002**

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Please forward any questions to Richard Cyfers or William Newsome.

Sincerely,



Richard Cyfers  
Massey Energy Company  
Electrical Engineer, New Projects  
Phone: 304-855-4909  
Fax: 304-855-4922  
Cell: 304-539-1718  
Pager: 304-540-1735



William Newsome  
Massey Energy Company  
Radiation Safety Officer  
Phone: 606-237-8425  
Cell: 606-831-1782  
Pager: 606-437-8081

Cc Craig Boggs, Elk Run Coal  
Rob Asbury, Elk Run Coal  
Jason Jude, Logan County Mine Service, Alex Energy  
William Newsome

This is to acknowledge the receipt of your letter/application dated

4/12/2007, and to inform you that the initial processing which includes an administrative review has been performed.

AMEND. 47-30927-00  
There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

Please provide to this office within 30 days of your receipt of this card

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A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 140389.  
When calling to inquire about this action, please refer to this control number.  
You may call us on (610) 337-5398, or 337-5260.

NRC FORM 532 (RI)  
(6-96)

Sincerely,  
Licensing Assistance Team Leader