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# Fax

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47-31260-01  
03037502

**To:** Jenny Johannsan **From:** Frank Pinter *FP*

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**Fax:** 610-337-5269 **Pages:** 7

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**Phone:** **Date:** July 6, 2007

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**Re:** Control # 140745 – Cobra Natural Res. **CC:**

Urgent     For Review     Please Comment     Please Reply     Please Recycle

Jenny:

Attached is a copy of a Kentucky radiation license for Enterprise Mining which is one of Alpha's subsidiaries. I then thought you might need some documentation that Enterprise is indeed an Alpha company, so I've also attached a page from Alpha's web site as evidence of that. I hope this suffices.

Also, you can reach me at [fpinter@alphar.com](mailto:fpinter@alphar.com).

140745

## Letcher County, Ky. and Buchanan County, Va. Coal Mines Win Nation's Top Safety Awards

*Enterprise, Paramount mines win MSHA Sentinels of Safety awards, surpassing all other coal mines in their group in days worked without a lost-time accident*

**ABINGDON, Va., October 4, 2005** - Alpha Natural Resources, Inc. (NYSE: ANR), a leading Appalachian coal producer, reports that its subsidiaries won two of the four top national honors for coal mine safety from the U.S. Mine Safety and Health Administration (MSHA).

The 37 employees at Enterprise Mine #4 won the Sentinels of Safety Award in the small underground coal category for working 52,936 man hours last year without a fatality or lost-time accident. Enterprise Mining Company, LLC is based in Whitesburg, Ky. Paramount Coal Company Virginia, LLC, based in Coeburn, Va., won the Sentinels of Safety Award in the large surface mine group for its Lover's Gap No. 3 surface mine, whose 140 employees achieved 274,711 man hours without an accident or fatality. The Enterprise #4 Mine is situated in Letcher County, Ky, while the Lover's Gap mine is in Buchanan County, Va.

Two additional mines operated by Paramount, Carrie Ridge (Russell and Dickenson counties, Va.) and Black Bear #4 (Russell County), were runners-up to the top Sentinels of Safety Award in the small surface mine category.

"Our responsibility as a company is to get all our people home safely and in good health; it's key to our operating philosophy, which we call 'Running Right'," said Mike Quillen, president and CEO of Alpha Natural Resources. "It is our top priority to make Alpha one of the safest companies to work for in the industry. Mine No. 4 and Lover's Gap employees have demonstrated what can be accomplished."

"Each of the Sentinels of Safety winners has demonstrated that safety is a value in the workplace," said David Dye, acting assistant secretary of labor for mine safety and health. "Through their actions and safe work practices, more miners will return home to their families at the end of every shift, every day."

The Sentinels of Safety Award, first established 80 years ago by President Herbert Hoover, is now the nation's longest running award for occupational safety. The annual award is co-sponsored by MSHA and the National Mining Association.

### About Alpha Natural Resources

Enterprise Mining Company, LLC and Paramount Coal Company Virginia, LLC are subsidiaries of Alpha Natural Resources, Inc., one of the leading producers of high-quality Appalachian coal. Approximately 94 percent of the company's reserve base is high Btu coal and 89 percent is low sulfur, qualities that are in high demand among electric utilities which use steam coal. Alpha is also one of the nation's largest producers and exporters of metallurgical coal, a key ingredient in steel manufacturing. Alpha and its subsidiaries currently operate mining complexes in four states, consisting of more than 60 mines feeding 11 coal preparation and blending plants. The company and its subsidiaries employ approximately 2,800 people.

 [Back to News List](#)  [Back to top](#)

Pioneer

CABINET FOR HEALTH SERVICES  
COMMONWEALTH OF KENTUCKY  
RADIOACTIVE MATERIAL LICENSE

PAGE 1

1. LICENSEE AND 2. ADDRESS

ENTERPRISE MINING  
1876 YELLOW CREEK ROAD  
SASSAFRAS, KY 41759-8726

ATTENTION: MIKE EDWARDS  
TELEPHONE: 276-679-7078

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PURSUANT TO KRS 211.842 ET SEQ., THE KENTUCKY CABINET FOR HUMAN RESOURCES REGULATIONS, 902 KAR 100, AND IN RELIANCE ON STATEMENTS AND REPRESENTATIONS HERETOFORE MADE BY THE LICENSEE, A LICENSE IS HEREBY ISSUED TO RECEIVE, ACQUIRE, OWN, POSSESS AND TRANSFER RADIOACTIVE MATERIAL LISTED BELOW; AND TO USE SUCH RADIOACTIVE MATERIAL FOR THE PURPOSE(S) AND AT THE PLACE(S) DESIGNATED BELOW. THIS LICENSE IS SUBJECT TO ALL APPLICABLE RULES, REGULATIONS, AND ORDERS OF THE CABINET FOR HEALTH SERVICES, NOW OR HEREINAFTER IN EFFECT AND TO ANY CONDITIONS SPECIFIED BELOW.  
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- 3. LICENSE NUMBER: 201-723-56  
AMENDMENT NO. 0
- 4. EXPIRATION DATE: MAY 31, 2008
- 5. REVIEWER: 53

6. AUTHORIZED USE

- |  |  |  |
|--|--|--|
| <ul style="list-style-type: none"> <li>A. CESIUM 137</li> </ul>      | <ul style="list-style-type: none"> <li>A. SEALED SOURCE (KAY-RAY MODEL 7700 SERIES)</li> </ul>   | <ul style="list-style-type: none"> <li>A. NO SINGLE SOURCE TO EXCEED 200 MILLI-CURIES</li> </ul>                               |
| <ul style="list-style-type: none"> <li>B. CALIFORNIUM 252</li> </ul> | <ul style="list-style-type: none"> <li>B. SEALED SOURCE (MONSANTO MODEL MRC 2765, AMERSHAM MODEL CVN-CY6, FRONTIER TECHNOLOGY MODEL CORPORATION MODEL 100 SERIES)</li> </ul> | <ul style="list-style-type: none"> <li>B. NO SINGLE SOURCE TO EXCEED 200 MICROGRAMS (108 MILLI-CURIES IN 2 SOURCES)</li> </ul> |

**CABINET FOR HEALTH SERVICES  
COMMONWEALTH OF KENTUCKY  
RADIOACTIVE MATERIAL LICENSE**

LICENSE NUMBER: 201-723-56

AMENDMENT 0

PAGE 2

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|---------------|---|---|
| C. CESIUM 137 | C. SEALED SOURCE<br>(AMERSHAM MODEL<br>CDC.704 AND<br>CDC.705 AND<br>ISOTOPE PRODUCTS<br>MODEL 225) | C. NO SINGLE SOURCE TO<br>EXCEED 25 MILLI-<br>CURIES IN 2 SOURCES |
| D. CESIUM 137 | D. SEALED SOURCE<br>(TN TECHNOLOGIES<br>MODEL 5202C)  | D. NO SINGLE SOURCE TO<br>EXCEED 500 MILLI-<br>CURIES             |

7. AUTHORIZED USE

- A. TO BE USED IN KAY-RAY MODEL 7063 SOURCE HOUSING UNIT FOR SOURCE #29717 TO MONITOR HEAVY MEDIA COURSE MATERIAL AND SOURCE #29718 FOR HEAVY MEDIA MONITORING, FOR DENSITY MEASUREMENTS OF THE MATERIAL.
- B. TO BE USED IN GAMMA METRICS MODEL 2000 BULK ELEMENTAL ANALYZER S/N 087 FOR ANALYZING SULFUR, DENSITY AND MOISTURE CONTENT OF THE COAL AT THE LOADOUT.
- C. TO BE USED IN GAMMA METRICS MODEL 2000 BULK ELEMENTAL ANALYZER S/N 087 FOR ANALYZING SULFUR, DENSITY AND MOISTURE CONTENT OF THE COAL AT THE LOADOUT.
- D. FOR USE IN THERMOMETRICS MODEL 5202 SOURCE HOUSING FOR PROCESS CONTROL IN THE PREPARATION PLANT.

CONDITIONS:

- 8. THE LICENSEE SHALL COMPLY WITH THE PROVISIONS OF THE KENTUCKY CABINET FOR HEALTH SERVICES ADMINISTRATIVE RADIATION REGULATIONS, 902 KAR 100.
- 9. RADIOACTIVE MATERIAL DESCRIBED IN SUBITEMS 6.A. AND 6.D. SHALL BE USED AT THE LICENSEE'S PREPARATION PLANT LOCATED 1.8 MILES NORTH OF SASSAFRAS, KENTUCKY ON STATE ROUTE 1088.
- 10. RADIOACTIVE MATERIAL DESCRIBED IN SUBITEMS 6.B. AND 6.C. SHALL BE USED AT THE LICENSEE'S LOADOUT FACILITY LOCATED 1.2 MILES NORTH OF SASSAFRAS, KENTUCKY ON STATE ROUTE 1088.

CABINET FOR HEALTH SERVICES  
COMMONWEALTH OF KENTUCKY  
RADIOACTIVE MATERIAL LICENSE

LICENSE NUMBER: 201-723-56

AMENDMENT 0

PAGE 3

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11. COPIES OF RECORDS REQUIRED PURSUANT TO 902 KAR 100 OR CONDITIONS OF THE LICENSE SHALL BE MAINTAINED FOR INSPECTION BY THE CABINET AT THE MINE OFFICE LOCATED 1.2 MILES NORTH OF SASSAFR ON STATE ROUTE 1088.
  12. RADIOACTIVE MATERIAL SHALL BE USED BY, OR UNDER THE SUPERVISION OF:  

KIRT ADAMS	DANNY ESTEP
DANIAL GAIL BENTLEY	JAMES GENTRY
JOHAN BRANHAM	GARRY GRIFFITH
GLEN CAUDILL	JEFF MULLINS
MICHAEL R. CONLEY	MAN SANDLIN
  13. THE RADIATION SAFETY OFFICER FOR THE ACTIVITIES AUTHORIZED BY THIS LICENSE IS ROGER L. BARNETT .
  14. THIS LICENSEE IS AUTHORIZED TO COLLECT LEAK TEST SAMPLES IN ACCORDANCE WITH THE PROCEDURES DESCRIBED IN THE LICENSEE'S APPLICATION DATED SEPTEMBER 5, 2006 FOR ANALYSIS BY SABIA .  
ALTERNATIVELY, LEAK TEST SAMPLES MAY BE COLLECTED AND/OR ANALYZED BY OTHER PERSONS SPECIFICALLY AUTHORIZED BY THE CABINET, U.S. NUCLEAR REGULATORY COMMISSION OR AN AGREEMENT STATE.
  15. TESTS FOR LEAKAGE AND/OR CONTAMINATION SHALL NOT EXCEED INTERVALS OF THREE (3) YEARS FOR:  
  
FIXED GAUGES
  16. SEALED SOURCES CONTAINING RADIOACTIVE MATERIAL SHALL NOT BE OPENED OR REMOVED FROM THEIR RESPECTIVE SOURCE HOLDERS BY THE LICENSEE.
  17. EACH GAUGE SHALL BE TESTED FOR PROPER OPERATION OF THE ON-OFF MECHANISM (SHUTTER) AND INDICATOR, IF ANY, AT NO LONGER THAN SIX (6) MONTH INTERVALS OR AT SUCH LONGER INTERVALS AS SPECIFIED IN THE CERTIFICATE OF REGISTRATION ISSUED BY THE CABINET, THE U.S. NUCLEAR REGULATORY COMMISSION, OR AN AGREEMENT STATE.
  18. NOTWITHSTANDING THE PERIODIC ON-OFF MECHANISM (SHUTTER) AND INDICATOR TEST, THE REQUIREMENT DOES NOT APPLY TO GAUGES THAT ARE STORED, NOT BEING USED, AND HAVE THE SHUTTER LOCK MECHANISM IN A LOCKED POSITION. THE GAUGES EXEMPTED FROM THIS PERIODIC TEST SHALL BE TESTED BEFORE USE.

CABINET FOR HEALTH SERVICES  
COMMONWEALTH OF KENTUCKY  
RADIOACTIVE MATERIAL LICENSE

LICENSE NUMBER: 201-723-56

AMENDMENT 0

PAGE 4

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19. INSTALLATION, INITIAL RADIATION SURVEY, RELOCATION OR REMOVAL FROM SERVICE OF DEVICES CONTAINING SEALED SOURCES SHALL BE PERFORMED BY MANUFACTURER OR BY PERSONS SPECIFICALLY LICENSED BY THE CABINET, U.S. NUCLEAR REGULATORY COMMISSION OR AN AGREEMENT STATE TO PERFORM SUCH SERVICES. MAINTENANCE AND REPAIR OF DEVICES AND INSTALLATION, REPLACEMENT, AND DISPOSAL OF SEALED SOURCES SHALL BE PERFORMED BY PERSONS SPECIFICALLY LICENSED BY THE CABINET, THE U. S. NUCLEAR REGULATORY COMMISSION OR AN AGREEMENT STATE TO PERFORM SUCH SERVICES.
20. THE LICENSEE SHALL CONDUCT A PHYSICAL INVENTORY EVERY SIX (6) MONTHS TO ACCOUNT FOR ALL SEALED SOURCES RECEIVED AND POSSESSED UNDER THE LICENSE. THE RECORDS OF THE INVENTORIES SHALL BE MAINTAINED FOR FIVE (5) YEARS FROM THE DATE OF THE INVENTORY FOR INSPECTION BY THE CABINET, AND SHALL INCLUDE THE RADIONUCLIDES, QUANTITIES, MANUFACTURER'S NAME AND MODEL NUMBERS, LOCATION OF SEALED SOURCES, AND THE DATE OF THE INVENTORY.
21. IN ADDITION TO THE POSSESSION LIMITS IN ITEM 8, THE LICENSEE SHALL FURTHER RESTRICT THE POSSESSION OF RADIOACTIVE MATERIAL TO QUANTITIES BELOW THE MINIMUM LIMIT SPECIFIED IN 902 KAR 100:042, SECTION 11, FOR ESTABLISHING DECOMMISSIONING FINANCIAL ASSURANCE.
22. EXCEPT AS SPECIFICALLY PROVIDED OTHERWISE IN THIS LICENSE, THE LICENSEE SHALL CONDUCT ITS PROGRAM IN ACCORDANCE WITH THE STATEMENTS, REPRESENTATIONS, AND PROCEDURES CONTAINED IN THE DOCUMENTS, INCLUDING ANY ENCLOSURES, LISTED BELOW. THE CABINET FOR HEALTH SERVICES REGULATIONS, 902 KAR 100, SHALL GOVERN UNLESS STATEMENTS, REPRESENTATIONS, AND PROCEDURES IN THE LICENSEE'S APPLICATION AND CORRESPONDENCE ARE MORE RESTRICTIVE THAN THE REGULATION.
- A. APPLICATION DATED SEPTEMBER 5, 2007, SIGNED BY VERNON KING, JR., VICE PRESIDENT.

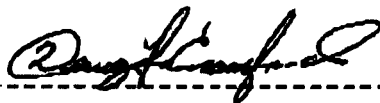
CABINET FOR HEALTH SERVICES  
COMMONWEALTH OF KENTUCKY  
RADIOACTIVE MATERIAL LICENSE

LICENSE NUMBER: 201-723-56

AMENDMENT 0

PAGE 5

B. LETTER DATED JANUARY 19, 2007, SIGNED BY MIKE EDWARDS,  
MANAGER OF ENVIRONMENTAL AND PERMITTING.



MANAGER  
RADIATION HEALTH BRANCH

MARK D. BIRDWHISTELL

SECRETARY  
CABINET FOR HEALTH AND FAMILY  
SERVICES

DATE ISSUED MAY 2, 2007