

Navajo Coal Company – Navajo Mine
P.O. Box 1717
Fruitland, NM 87401
bhpbilliton.com

June 16, 2011

U.S. Nuclear Regulatory Commission, Region IV
612 East Lamar Blvd., Suite 400
Arlington, Texas 76011-4125

REFERENCE: BHP Billiton, Navajo Coal Company – Navajo Mine
Radioactive Materials License Number 30-29264-01

ATTENTION: License Termination

To Whom It May Concern:

Navajo Mine requests to terminate its Radioactive Material License. All radioactive materials have been removed from the mine site and have been transferred to another licensee.

Prior to the removal and shipment of the sources NRC Form 241 – Report of Proposed Activities – was submitted and approved on 12/10/2010.

Please reference the attached and completed NRC Form 314 – Certificate of Disposition of Materials – for material transfer details. Also please see the attached radiation survey which was conducted after source removal to verify the absence of radioactive materials.

If you have any questions regarding this request, please contact Dustin Fisher who is our site RSO. His phone number is (505) 598-3201

Sincerely,

Pat Risner
General Manager
BHP Billiton - Navajo Mine
(505) 598-4361

5 7 5 4 9 3

Estimated burden per response to comply with this mandatory collection request: 30 minutes. This submittal is used by NRC as part of the basis for its determination that the facility is released for unrestricted use. Send comments regarding burden estimate to the Information Services Branch (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to Infocollects.Resource@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0028), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

CERTIFICATE OF DISPOSITION OF MATERIALS

LICENSEE NAME AND ADDRESS

BHP Billiton
Navajo Coal Company - Navajo Mine
P.O. Box 1717
Fruitland, New Mexico 87416

LICENSE NUMBER

30-29264-01

DOCKET NUMBER

03037476

LICENSE EXPIRATION DATE

06/30/2017

A. LICENSE STATUS (Check the appropriate box)

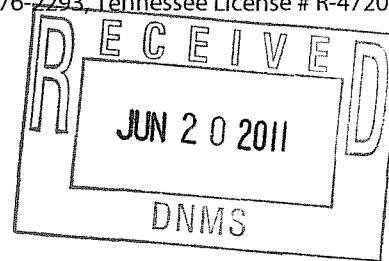
- This license has expired. This license has not yet expired; please terminate it.

B. DISPOSAL OF RADIOACTIVE MATERIAL

(Check the appropriate boxes and complete as necessary. If additional space is needed, provide attachments)

The licensee, or any individual executing this certificate on behalf of the licensee, certifies that:

- 1. No radioactive materials have ever been procured or possessed by the licensee under this license.
- 2. All activities authorized by this license have ceased, and all radioactive materials procured and/or possessed by the licensee under this license number cited above have been disposed of in the following manner:
 - a. Transfer of radioactive materials to the licensee listed below:
12/16/2010, To: Radiation Safety Services LLC, Josh Swindell (RSO), (865) 776-2293, Tennessee License # R-47200-A18
 - b. Disposal of radioactive materials:
 - 1. Directly by the licensee:
 - 2. By licensed disposal site:
 - 3. By waste contractor:
- 3. All radioactive materials have been removed such that any remaining residual radioactivity is within the limits of 10 CFR Part 20, Subpart E, and is ALARA.



C. SURVEYS PERFORMED AND REPORTED

- 1. A radiation survey was conducted by the licensee. The survey confirms:
 - a. the absence of licensed radioactive materials
 - b. that any remaining residual radioactivity is within the limits of 10 CFR 20, Subpart E, and is ALARA.
- 2. A copy of the radiation survey results:
 - a. is attached; or b. is not attached (Provide explanation); or c. was forwarded to NRC on: _____ Date
- 3. A radiation survey is not required as only sealed sources were ever possessed under this license, and
 - a. The results of the latest leak test are attached; and/or
 - b. No leaking sources have ever been identified.

The person to be contacted regarding the information provided on this form:

NAME Dustin Fisher	TITLE Drill and Blast Superintendent (RSO)	TELEPHONE (Include Area Code) (505) 598-3201	E-MAIL ADDRESS dustin.fisher@bhpbilliton.com
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Mail all future correspondence regarding this license to:
Attn: Dustin Fisher, Navajo Mine - Area 3, PO Box 1717, Fruitland, NM 87416

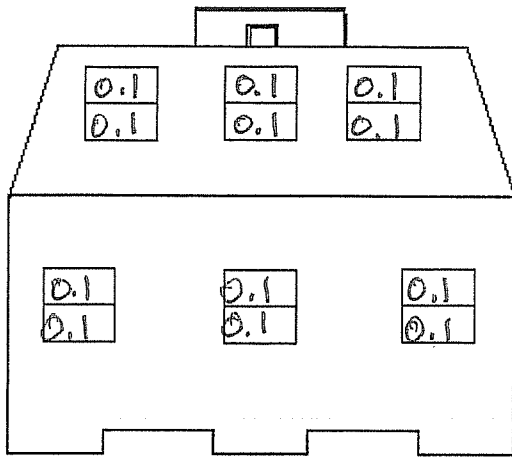
C. CERTIFYING OFFICIAL I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

PRINTED NAME AND TITLE Pat Risner - Navajo Mine General Manager	SIGNATURE 	DATE 06/16/2011
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WARNING: FALSE STATEMENTS IN THIS CERTIFICATE MAY BE SUBJECT TO CIVIL AND/OR CRIMINAL PENALTIES. NRC REGULATIONS REQUIRE THAT SUBMISSIONS TO THE NRC BE COMPLETE AND ACCURATE IN ALL MATERIAL RESPECT. 18 U.S.C. SECTION 1001 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.

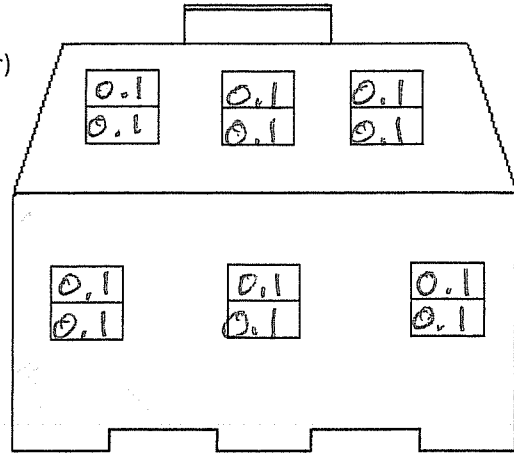
BHP - FSCA
 (AFTER MATERIAL REMOVAL)
 12/16/10

EBA Elemental Analyzer Radiation Survey Map

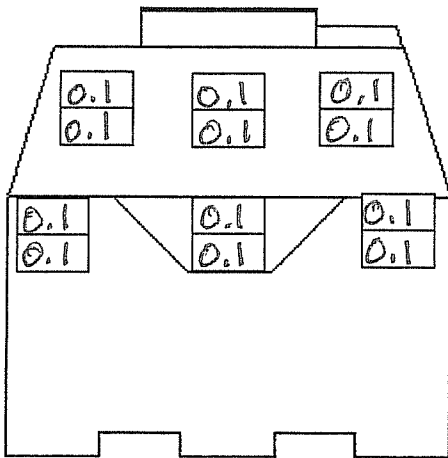


Left Side

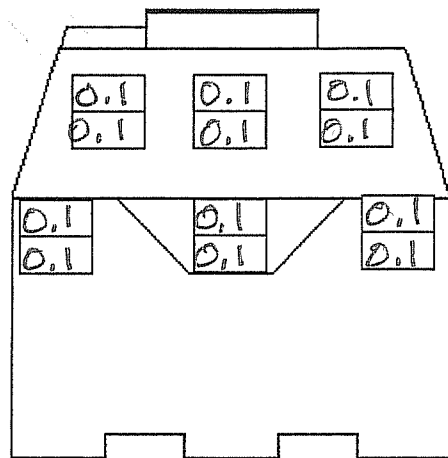
Dose Rates (mR/hr)
 <Neutron>
 <Gamma>



Right Side



Exit Side



Entrance Side

Other Measurements

On belt @ 1 meter from entrance /exit and conveyor loaded

0.1	0.1
0.1	0.1

On belt @ 1 meter from entrance /exit and conveyor empty

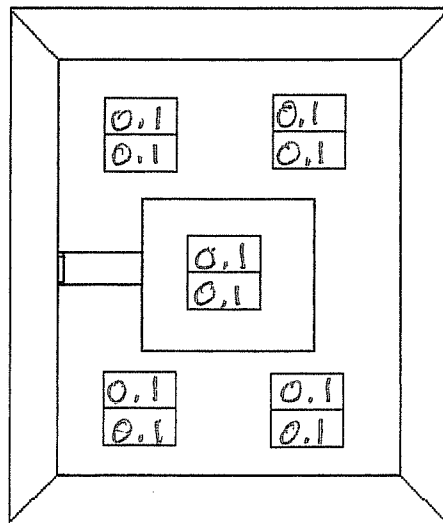
0.1	0.1
0.1	0.1

On belt @ entrance /exit and conveyor empty

0.1	0.1
0.1	0.1

Top center of analyzer

0.1	0.1
0.1	0.1



Top

Instrument Data

Model Number: ASP-1 / ASP-1 NB
 Calibration Date: 2/25/10 / 6/14/10

Serial Number: 3501 / 1791

BETWEEN:

Accounts Receivable/Payable
and
Regional Licensing Branches

[FOR ARPB USE]
INFORMATION FROM LTS

Program Code: 03120
Status Code: Pending Termination
Fee Category: 3P
Exp. Date:
Fee Comments:
Decom Fin Assur Req: N

License Fee Worksheet - License Fee Transmittal

A. REGION

1. APPLICATION ATTACHED

Applicant/Licensee: BHP BILLITON
Received Date: 06/20/2011
Docket Number: 3037476
Mail Control Number: 575493
License Number: 30-29264-01
Action Type: Termination

2. FEE ATTACHED

Amount: _____

Check No.: _____

3. COMMENTS

Signed: Colleen Murahan

Date: 6-29-2011

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered)

1. Fee Category and Amount: _____

2. Correct Fee Paid. Application may be processed for:

Amendment: _____

Renewal: _____

License: _____

3. OTHER _____

Signed: _____

Date: _____

JUL - 5 2011

DATE

This is to acknowledge the receipt of your letter/application dated 6/16/11, and to inform you that the initial processing, which includes an administrative review, has been performed.

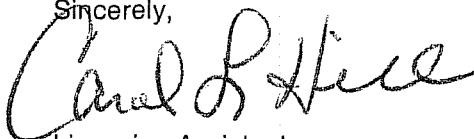
- There were no administrative omissions. Your application will be assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.
- Please provide to this office within 30 days of your receipt of this card:

The action you requested is normally processed within 90 days.

- 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** 575493.
When calling to inquire about this action, please refer to this mail control number.
You may call me at 817-860-8103.

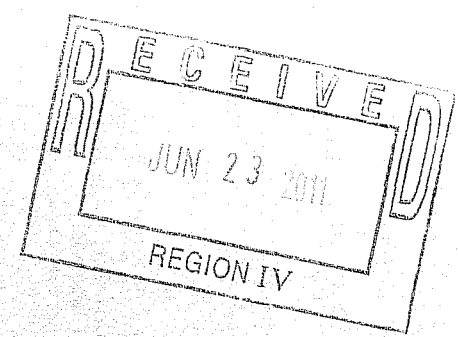
Sincerely,


Licensing Assistant



ing the future

HP Navajo Coal Company
P.O. Box 1717
Ruitland, New Mexico 87416 USA



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ATTEN: Colleen Murnahan
U.S Nuclear Regulatory Commission, Region IV
612 East Lamar Blvd., Suite 400
Arlington, TX 76011-4125