NRC FORM 374			PAGE <u>1</u> OF <u>5</u> PAGES Amendment No 08				
Pursuant to the Atomic Energy Act of 1954, as amen Federal Regulations, Chapter I, Parts 30, 31, 32, 33, made by the licensee, a license is hereby issued aut special nuclear material designated below; to use suc such material to persons authorized to receive it in ac contain the conditions specified in Section 183 of regulations, and orders of the Nuclear Regulatory C	ded, the Energy Re 34, 35, 36, 39, 40, a horizing the license ch material for the p ccordance with the the Atomic Energy commission now or	eorganization Act of 19 and 70, and in reliance ee to receive, acquire, purpose(s) and at the p regulations of the appli y Act of 1954, as ame hereafter in effect and	74 (Public Law 93-438), and Title 10, Code of on statements and representations heretofore possess, and transfer byproduct, source, and lace(s) designated below; to deliver or transfer cable Part(s). This license shall be deemed to inded, and is subject to all applicable rules, to any conditions specified below.				
Licensee		In accordance	with the letter dated				
		February 13, 2	013,				
1. Fola Coal Company, LLC		3. License number 47-25325-01 is amended in its entirety to read as follows:					
	EARP	EGU,					
2. P. O. Box 180		4. Expiration date	2 June 30, 2015				
Bickmore, West Virginia 25019		5. Docket No. 03	0-33806				
9		Reference No.	3				
6. Byproduct, source, and/or special 7. nuclear material	Chemical and/or p	physical form	 Maximum amount that licensee may possess at any one time under this license 				
A. Cesium 137	Sealed Source Models A-2100 A-2104; QSA C CDC.700 Serie Products Labor 225; and Therr Tech Model 69	s (Ohmart), A-2102, Global Model es; Isotope ratories Model no Measure 6894)	A. 430 millicuries total and no single source to exceed the maximum activity specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State				
B. Americium 241	Sealed Source Dwg. P2627-10 P2642-100)	s (Berthold 00 and	B. 300 millicuries total and no single source to exceed the maximum activity specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State				
C. Californium 252 C.	Sealed Source Model MRC 27 Model CVN.CY Frontier Techno Model 100 Seri Model GEN-Cf- Isotope Produc Models 3004, 3 252 Series)	s (Monsanto '65; QSA Global 'n Series; ology Corp. ies; GE Hitachi -100 Series; ct Laboratories 3014, and N-	C. 216 millicuries total and no single source to exceed the maximum activity specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State				

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9. A	Authori	zed use:	Camma Matrice Model 2000: Parthald Madel					
A. ui	lougn	LB420; and TN Technologies Model 5201 fixed processes and elemental analysis of bulk mater	gauging devices for controlling industrial rial.					
		CONDITIONS	SUL					
10.	Licensed material may be used or stored only at the licensee's facilities located at Fola Coal Company's Peach Orchard Preparation Plant and Loadout Facility and Peach Orchard Preparation Plant No. 2 approximately 2 miles south of Bickmore on Route 16, and at the former WiNoc Preparation Plant off Route 17, approximately 5 miles east of Bickmore, West Virginia.							
11.	Licer traini Radi for 3	nsed material shall be used by, or under the supervi ing described in application dated March 1, 2005, a ation Safety Officer. The licensee shall maintain re- years following the last use of licensed material by	ision of, individuals who have received the nd have been designated, in writing, by the cords of individuals designated as users the individual.					
12.	The	Radiation Safety Officer for this license is Wayne Ke	eener.					
13.	A.	Sealed sources shall be tested for leakage and/or months or at the intervals specified in the certifica Regulatory Commission under 10 CFR 32.210 or State.	contamination at intervals not to exceed six te of registration issued by the U.S. Nuclear under equivalent regulations of an Agreement					
	B.	In the absence of a certificate from a transferor ind the intervals specified in the certificate of registrat Commission under 10 CFR 32.210 or under equiv the transfer, a sealed source received from anothe and the test results received.	dicating that a leak test has been made within ion issued by the U.S. Nuclear Regulatory alent regulations of an Agreement State, prior to er person shall not be put into use until tested					
	C.	Sealed sources need not be tested if they are in s they are removed from storage for use or transferr within the required leak test interval, they shall be shall be stored for a period of more than 10 years contamination.	torage and are not being used; however, when red to another person and have not been tested tested before use or transfer. No sealed source without being tested for leakage and/or					

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	D.	The leak test shall be capable of detecting the pre- radioactive material on the test sample. If the test (185 becquerels) or more of removable contamina Regulatory Commission in accordance with 10 CF immediately from service and decontaminated, rep Commission regulations.	sence of 0.005 microcurie (185 becquerels) of reveals the presence of 0.005 microcurie tion, a report shall be filed with the U.S. Nuclear R 30.50(c)(2), and the source shall be removed baired, or disposed of in accordance with		
	E.	Tests for leakage and/or contamination, limited to by the licensee or by other persons specifically lice Commission or an Agreement State to perform suc perform the analysis; analysis of leak test samples licensed by U.S. Nuclear Regulatory Commission	leak test sample collection, shall be performed ensed by the U.S. Nuclear Regulatory ch services. The licensee is not authorized to s must be performed by persons specifically or an Agreement State to perform such services.		
	F.	Records of leak test result <mark>s shall</mark> be kept in units o 5 years.	f microcuries and shall be maintained for		
14.	Sealed sources containing licensed material shall not be opened or sources removed from source holders by the licensee.				
15.	The licensee shall conduct a physical inventory every six months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all sources and/or devices received and possesse under the license. Records of inventories shall be maintained for 5 years from the date of each inventory and shall include the radionuclides, quantities, manufacturer's name and model numbers, and the date of the inventory.				
16.	A.	Each gauge shall be tested for the proper operation indicator, if any, at intervals not to exceed 6 month certificate of registration issued by the U.S. Nuclear 10 CFR 32.210 or the equivalent regulations of an	on of the on-off mechanism (shutter) and is or at such longer intervals as specified in the ar Regulatory Commission pursuant to Agreement State.		
	В.	Notwithstanding the periodic on-off mechanism (sh not apply to gauges that are stored, not being used locked position. The gauges exempted from this p	nutter) and indicator test, the requirement does d, and have the shutter lock mechanism in a periodic test shall be tested before use.		
17.	The following services shall not be performed by the licensee: installation, initial radiation surveys, relocation, removal from service, dismantling, alignment, replacement, disposal of the sealed source and non-routine maintenance or repair of components related to the radiological safety of the gauge (i.e., the sealed source, the source holder, source drive mechanism, on-off mechanism (shutter), shutter control, shielding). These services shall be performed only by persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.				

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18.	The licensee may initially mount a gauge if permitted by the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State and under the following conditions:							
	A. The gauge must be mounted in accordance with written instructions provided by the manufacturer							
	В.	The gauge must be mounted in a location compati "Limitations and/or Other Considerations of Use" in U.S. Nuclear Regulatory Commission or an Agree	ible with the "Conditions of Normal Use" and n the certificate of registration issued by the ment State;					
	C.	The on-off mechanism (shutter) must be locked in be otherwise fully shielded;	the off position, if applicable, or the source must					
	D.	The gauge must be received in good condition (i.e	e., package was not damaged); and					
	E.	The gauge must not require any modification to fit	in the proposed location.					
	Mou rema perse perfo	nting does not include electrical connection, activation ain fully shielded and the gauge may not be used un on specifically licensed by the U.S. Nuclear Regulat orm such operations.	on or operation of the gauge. The source must til it is installed and made operational by a ory Commission or an Agreement State to					
19.	A. The licensee may maintain, repair, or replace device components that are not related to the radiological safety of the device and that do not result in the potential for any portion of the body to come into contact with the primary beam or in increased radiation levels in accessible areas.							
	В.	The licensee may not maintain, repair, or replace a sealed source, the source holder, source drive me control, or shielding, or any other component relat except as provided otherwise by specific condition	any of the following device components: the echanism, on-off mechanism (shutter), shutter ed to the radiological safety of the device, of this license.					
20.	Prior to initial use and after installation, relocation, dismantling, alignment, or any other activity involving the source or removal of the shielding, the licensee shall assure that a radiological survey is performed to determine radiation levels in accessible areas around, above, and below the gauge with the shutter open. This survey shall be performed only by persons authorized to perform such services by the U.S. Nuclear Regulatory Commission or an Agreement State.							
21.	The licensee shall operate each device containing licensed material within the manufacturer's specified temperature and environmental limits such that the shielding and shutter mechanism of the source holder are not compromised.							

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The licensee shall assure that the shutter is locked in the closed position during per to the direct radiation beam. The licensee procedures whenever a new device is obt ecommendations.	mechanism, fo iods when a po e shall review a tained to incorp	or each device cont ortion of an individu and modify, as appr oorate the device m	aining li al's bod opriate, anufacti	cense y ma its "l urer's	ed ma y be s ock-o	ateria subje ut"	al, ect
The licensee is authorized to transport lice 0 CFR Part 71, "Packaging and Transpo	ensed material ortation of Radio	in accordance with oactive Material."	the pro	visio	ns of		
. 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 U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.				m in s, ns tion			
 A. Application dated March 1, 2005 B. Letter dated June 18, 2007 	(ML0511004 (ML0717104	64) 52)	OMM				
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The licensee shall review and modify, as appropriate, its "lock-out" rocedures whenever a new device is obtained to incorporate the device manufacturer's ecommendations. the licensee is authorized to transport licensed material in accordance with the provisions of 0 CFR Part 71, "Packaging and Transportation of Radioactive Material." xcept as specifically provided otherwise in this license, the licensee shall conduct its program in coordance with the statements, representations, and procedures contained in the documents, cluding any enclosures, listed below. The U.S. Nuclear Regulatory Commission's regulations and procedures in the licensee's application and correspondence are more restrictive than the regulations. Application dated March 1, 2005 (MLD511100464) (ML071710452) For the U.S. Nuclear Regulatory Commission March 13, 2013 By Driginal signed by Michael Reichard Materials Security and Industrial Branch Division of Nuclear Materials Safety Perion