

Conversation Record



COMPANY: Sunrise Coal, LLC.

Jennifer Bishop
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PAGES: 3

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EMAIL: jtoney@sunrisecoal.com.

CONVERSATION RECORD		TIME	DATE
NAME OF PERSON(S) CONTACTED	TELEPHONE NO.	ORGANIZATION	
Jay Toney	812-398-2200	Manager Operations	
License No.: Pending		Control No.: 580384	

SUMMARY

This refers to your application dated April 4, 2013 for a new NRC license and the phone conversation between Jay Toney and Jennifer Bishop on May 14, 2013.

1. In your application, you are named as the Radiation Safety Officer. However, you also state that you have not yet completed training. Please note that the NRC will not be able to issue your license without a qualified RSO. In addition, you will not be able to change and name your RSO internally; NRC must do that for you via the amendment process.

RESPONSE: Please include the name and qualifications of your proposed RSO and a written, signed (by both senior management and the proposed RSO) and a currently dated statement that stipulates your proposed RSO accepts the RSO position and understands the duties and responsibilities associated with the position. Each proposed RSO must be qualified in accordance with the guidance in NUREG 1556, Vol. 4 Section 8.7, Item 7: Individual(s) Responsible for Radiation Safety Program and Their Training and Experience. A sample Delegation of Authority memo is attached to this document in Attachment 1.

2. In Item 10, "Maintenance Routine Cleaning and Lubrication," you committed to using the gauge manufacturer or other authorized individuals to conduct non-routine maintenance. However, you did not indicate if you would be performing routine maintenance.

RESPONSE: Please respond by requesting either "We will implement and maintain procedures for routine maintenance of our gauges according to each manufacturer's recommendations and instructions" or provide the information in

Appendix N of NUREG 1556, Vol. 4 supporting the request to perform routine and non-routine maintenance in house.

3. Some of the devices that you have requested in your application do not require that you obtain an NRC License. Specifically, the Scan Technologies Model No. 2800 is distributed under a general license and the Thermo MeasureTech Model No. 5201 can either be obtained under a general license or a specific license. Please note that these devices can be on your specific license.

RESPONSE: Please indicate if you plan to obtain these devices using your specific license or using a general license.

4. In your application, you provided a copy of your Radiation Safety Program. Please note that if this document is included as a part of your application, you will not be able to make changes to it with requesting an amendment from the NRC.

RESPONSE: Please respond with a statement indicating if you would like this document excluded for you application.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Action Required:

Submit the requested information within 30 calendar days (by June 11, 2013) by referencing control number 580384 to facilitate proper handling in our office. Please contact me if you need to make alternative response arrangements.

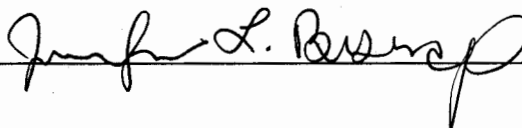
If we do not receive an adequate response by this date, we may or will "void" the current action without attempting to contact you further and without prejudice to resubmission of your request at a later date. Upon receipt of your response we will reactivate placement of your request in our database and resume our review. Address your written response, via an appropriately dated and signed (by management) cover letter, to my attention at the above address.

PLEASE DIRECT ANY QUESTIONS YOU MAY HAVE TO ME AT (630) 829-9607.

NAME OF PERSON DOCUMENTING
CONVERSATION

SIGNATURE
DATE

Jennifer Bishop



5/14/13

Attachment 1

Model Delegation of Authority:

Memo To: Radiation Safety Officer
From: Chief Executive Officer
Subject: Delegation of Authority

You, _____, have been appointed Radiation Safety Officer and are responsible for ensuring the safe use of radiation. You are responsible for managing the Radiation Protection Program; identifying radiation protection problems; initiating, recommending, or providing corrective actions; verifying implementation of corrective actions; stopping unsafe activities; and ensuring compliance with regulations. You are hereby delegated the authority necessary to meet those responsibilities, including prohibiting the use of byproduct material by employees who do not meet the necessary requirements and shutting down operations where justified to maintain radiation safety. You are required to notify management if staff does not cooperate and does not address radiation safety issues. In addition, you are free to raise issues with the Nuclear Regulatory Commission at any time. It is estimated that you will spend ___ hours per week conducting radiation protection activities.

Signature of Management Representative

Date

I accept the above responsibilities,

Signature of Radiation Safety Officer

Date

cc: Affected department heads