

CONSOL Energy Inc.

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PAUL J BORCHICK
Manager, Mine Health & Safety

Br. 2

Licensing Assistance Team
Division of Nuclear Materials Safety
US Nuclear Regulatory Commission, Region 1
2100 Renaissance Boulevard, Suite 100
King of Prussia, PA 19406-2713

May 27, 2015

Re: Fola Coal Company, LLC.
Application for renewal of material license # 47-25325-01

03033806

REC'D 10:28:15 AM 5/28/15

Dear Sirs:

Enclosed please find the original and one copy of our application for renewal of material license number 47-25325-01 for the Fola Coal Company, LLC. The current license expires on June 30, 2015.

Any questions can be addressed to me via email at paulborchick@consolenergy.com or on my office phone at (724) 485-4414.

Thank you for your attention to this matter.

Sincerely,



Paul J Borchick
Manager, Mine Health & Safety

(03-2014)
10 CFR 30, 32, 33, 34
35, 36, 37, 39, and 40



APPLICATION FOR MATERIALS LICENSE

Estimated burden per response to comply with this mandatory collection request: 4.3 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Send comments regarding burden estimate to the FOIA, Privacy, and Information Collections 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, (3150-0120), 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.

INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION. SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW. *AMENDMENTS/RENEWALS THAT INCREASE THE SCOPE OF THE EXISTING LICENSE TO A NEW OR HIGHER FEE CATEGORY WILL REQUIRE A FEE.

<p>APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:</p> <p>OFFICE OF FEDERAL & STATE MATERIALS AND ENVIRONMENTAL MANAGEMENT PROGRAMS DIVISION OF MATERIALS SAFETY AND STATE AGREEMENTS U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON, DC 20555-0001</p> <p>ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:</p> <p>IF YOU ARE LOCATED IN:</p> <p>ALABAMA, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, NORTH CAROLINA, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, SOUTH CAROLINA, TENNESSEE, VERMONT, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA,</p> <p>SEND APPLICATIONS TO:</p> <p>LICENSING ASSISTANCE TEAM DIVISION OF NUCLEAR MATERIALS SAFETY U.S. NUCLEAR REGULATORY COMMISSION, REGION I 2100 RENAISSANCE BOULEVARD, SUITE 100 KING OF PRUSSIA, PA 19406-2713</p>	<p>IF YOU ARE LOCATED IN:</p> <p>ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:</p> <p>MATERIALS LICENSING BRANCH U.S. NUCLEAR REGULATORY COMMISSION, REGION III 2443 WARRENVILLE ROAD, SUITE 210 LISLE, IL 60532-4352</p> <p>ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MISSISSIPPI, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR WYOMING,</p> <p>SEND APPLICATIONS TO:</p> <p>NUCLEAR MATERIALS LICENSING BRANCH U.S. NUCLEAR REGULATORY COMMISSION, REGION IV 1600 E. LAMAR BOULEVARD ARLINGTON, TX 76011-4511</p>
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PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.

<p>1. THIS IS AN APPLICATION FOR (Check appropriate item)</p> <p><input type="checkbox"/> A. NEW LICENSE</p> <p><input type="checkbox"/> B. AMENDMENT TO LICENSE NUMBER</p> <p><input checked="" type="checkbox"/> C. RENEWAL OF LICENSE NUMBER <u>47-25325-01</u></p>	<p>2. NAME AND MAILING ADDRESS OF APPLICANT (Include ZIP code)</p> <p>Fola Coal Company, LLC. CONSOL Energy Inc. 1000 CONSOL Energy Drive Canonsburg, PA 15317</p>
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<p>3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED</p> <p>Fola Coal Company Peach Orchard Plant & Loadout, Peach Orchard Plant #2 approx. 2 miles south of Bickmore, WV on Rte. 16. And at the WiNoc Preparation Plant off Rte 17, approx 5 miles east of Bickmore, West Virginia.</p>	<p>4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION</p> <p>Marvin E. Daniels</p> <table border="1"> <tr> <td>BUSINESS TELEPHONE NUMBER</td> <td>BUSINESS CELLULAR TELEPHONE NUMBER</td> </tr> <tr> <td>(304) 235-7186</td> <td></td> </tr> <tr> <td colspan="2">BUSINESS EMAIL ADDRESS</td> </tr> <tr> <td colspan="2">eddaniels@consolenergy.com</td> </tr> </table>	BUSINESS TELEPHONE NUMBER	BUSINESS CELLULAR TELEPHONE NUMBER	(304) 235-7186		BUSINESS EMAIL ADDRESS		eddaniels@consolenergy.com	
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SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.

<p>5. RADIOACTIVE MATERIAL</p> <p>a. Element and mass number; b. chemical and/or physical form; and c. maximum amount which will be possessed at any one time.</p>	<p>6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.</p>				
<p>8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.</p>	<p>7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE.</p>				
<p>10. RADIATION SAFETY PROGRAM.</p>	<p>9. FACILITIES AND EQUIPMENT.</p>				
<p>12. LICENSE FEES (Fees required only for new applications, with few exceptions*) (See 10 CFR 170 and Section 170.31)</p>	<p>11. WASTE MANAGEMENT.</p> <table border="1"> <tr> <td>FEE CATEGORY</td> <td>AMOUNT ENCLOSED \$</td> </tr> <tr> <td></td> <td></td> </tr> </table>	FEE CATEGORY	AMOUNT ENCLOSED \$		
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13. CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.

THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 37, 39, AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.

WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 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.

<p>CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE</p> <p>PAUL BORCHICK, MANAGER MINE HEALTH + SAFETY</p>	<p>SIGNATURE</p>	<p>DATE</p> <p>5-27-15</p>
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FOR NRC USE ONLY					
TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
APPROVED BY					

Table B.1 Items 5 & 6: Materials To Be Possessed and Proposed Uses						
Yes	No	Radioisotope	Manufacturer or Distributor Model No.	Quantity	Use As Listed on SSD Certificate	Specify Other Uses Not Listed on SSD Certificate
		Cesium 137	Sealed Sources- (Ohmart Models A-2100, A-2102, A-2104; QSA Global Model CDC.700 Series; Isotope Products Laboratories Model 225; and Thermo Measure Tech Model 696894)	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	YES. In Ohmart Models SR-A, SH-F1 Series; Thermo Gamma Metrics Model 2000; Berthold Model LB420; and TN Technologies Model 5201 fixed gauging devices for controlling industrial processes and elemental analysis of bulk material	Not Applicable
		Americium241	Sealed Sources- (Berthold Dwg. P2627-100 and P2642-100)	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	YES. In Ohmart Models SR-A, SH-F1 Series; Thermo Gamma Metrics Model 2000; Berthold Model LB420; and TN Technologies Model 5201 fixed gauging devices for controlling industrial processes and elemental analysis of bulk material	Not Applicable
		Californium 252	Sealed Sources (Monsanto Model MRC 2765; QSA Global Model CVN.Cyn Series; Frontier Technology Corp.Model 100 Series; GE Hitachi Model GEN-Cf-100 Series; Isotope Product Laboratories Models 3004, 3014, and N-252 Series)	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	YES. In Thermo Gamma Metrics Model 2000 Bulk Materials Elemental Analyzer for analysis of bulk materials	Not Applicable

Table B.2	Items 7 Through 11: Training and Experience, Facilities and Equipment, Radiation Safety Program, and Waste Disposal		
Item No. and Title	Response	Yes / No	Alternative Procedures Attached
7. Individual(s) Responsible For Radiation Safety Program And Their Training And Experience. 7.1 Radiation Safety Officer: Marvin E. Daniels	Before obtaining licensed materials, the proposed RSO will have successfully completed the training described in Criteria in the section entitled "Individual(s) Responsible for Radiation Safety Program and Their Training and Experience - Radiation Safety Officer" in NUREG-1556, Vol. 4, dated October 1998. AND Before being named as the RSO, future RSos will have successfully completed training described in Criteria in the section entitled "Individual(s) Responsible for Radiation Safety Program and Their Training and Experience - Radiation Safety Officer" in NUREG-1556, Vol. 4, dated October 1998. Within 30 days of naming a new RSO, we will submit the new RSO's name to NRC to include in our license.	Yes	Not Applicable
7. Individual(s) Responsible For Radiation Safety Program And Their Training And Experience. 7.2 Authorized Users	Proposed Authorized Users: Before using licensed materials, authorized users will have successfully completed the training described in Criteria in the section entitled "Authorized Users" in NUREG-1556, Vol. 4, dated October 1998.	Yes	Not Applicable
8. Training for Individuals Who in the Course of Employment are Likely to Receive Occupational Doses of Radiation in Excess of 1mSv (100 mrem) in a Year (Occupationally Exposed Workers and Ancillary Workers)	Not Required With Application	Yes	Not Required With Application
9. Facilities and Equipment	We will ensure that the location of each fixed gauge meets the criteria in the section entitled "Facilities and Equipment" in NUREG-1556, Vol. 4, dated October 1998.	Yes	Not Applicable
10. Radiation Safety Program - Audit Program	Not Required With Application	Yes	Not required With Application
10. Radiation Safety Program - Survey Instruments	Surveys pursuant to 10 CFR 20.1501 will be performed by a person specifically authorized by the NRC or an Agreement State to perform these surveys.	Yes	Not Applicable
10. Radiation Safety Program - Material Receipt and Accountability	Physical inventories will be conducted at intervals not to exceed 6 months or at other intervals approved by the NRC, to account for all sealed sources and devices received and possessed under the license.	Yes	Not Applicable
10. Radiation Safety Program - Occupational Dosimetry	We will perform a prospective evaluation demonstrating that unmonitored individuals are not likely to receive, in one year, a radiation dose in excess of 10% of the allowable limits in 10 CFR Part 20 or we will provide dosimetry that meets the Criteria in the section entitled "Radiation Safety Program - Occupational Dosimetry," in NUREG-1556, Vol. 4, dated October 1998.	Yes	Not Applicable

Table B.2		Items 7 Through 11: Training and Experience, Facilities and Equipment, Radiation Safety Program, and Waste Disposal	
Item No. and Title	Response	Yes / No	Alternative Procedures Attached
10. Radiation Safety Program - Public Dose	Not Required With Application	Yes	Not Required With Application
10. Radiation Safety Program - Operating & Emergency Procedures	Operating and emergency procedures will be developed, implemented, maintained, and distributed, and will meet the Criteria in the section entitled "Radiation Safety Program - Operating and Emergency Procedures," in NUREG-1556, Vol. 4, dated August 1998.	Yes	Not Applicable
10. Radiation Safety Program - Leak Test	Leak tests will be performed at intervals approved by the NRC or an Agreement State and specified in the Sealed Source and Device Registration Certificate. Leak tests will be performed by an organization authorized by NRC or an Agreement State to provide leak testing services for other licensees or using a leak test kit supplied by an organization authorized by NRC or an Agreement State to provide leak test kits to other licensees and according to the kit supplier's instructions. Records of leak test results will be maintained.	Yes	Not Applicable
10. Radiation Safety Program - Maintenance	<p>ROUTINE MAINTENANCE We will implement and maintain procedures for routine maintenance of our fixed gauges according to each manufacturer's or distributor's written recommendations and instructions.</p> <p>NON-ROUTINE MAINTENANCE OPERATIONS The gauge manufacturer, distributor or other person authorized by NRC or an Agreement State will perform non-routine operations such as installation, initial radiation survey, repair, and maintenance of components related to the radiological safety of the gauge, gauge relocation, replacement, and disposal of sealed sources, alignment, or removal of a gauge from service.</p>	Yes	Not Applicable
10. Radiation Safety Program - Transportation	Not Required With Application	Yes	Not Required With Application
10. Radiation Safety Program - Fixed Gauges Used at Temporary Job Sites	This is not applicable to our program. We will not use fixed gauges at temporary job sites.	Not Applicable	Not Applicable
10. Radiation Safety Program - Minimization of Contamination	Not Required With Application	Yes	Not Required With Application
11. Waste Management - Gauge Disposal & Transfer	Not Required With Application	Yes	Not Required With Application

This is to acknowledge the receipt of your letter application dated

5/27/15, and to inform you that the initial processing which includes an administrative review has been performed.

Renewal (47-25325-01)
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

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** 587101.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.