



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
2100 RENAISSANCE BLVD.
KING OF PRUSSIA, PA 19406-2713**

August 2, 2021

Justin Smith, Manager of Permitting
Marshall County Coal Resources, Inc.
46226 National Road
St. Clairsville, OH 43950

SUBJECT: MARSHALL COUNTY COAL RESOURCES, INC., LICENSE RENEWAL, MAIL CONTROL NO. 626892

Dear Mr. Smith:

This refers to your request for renewal of your NRC license. Enclosed with this letter is the license. Please review the license carefully and be sure that you understand and fully implement all the conditions of the license. Please note the following:

1. Several license conditions were updated to the new standard license conditions as detailed in NUREG-1556 Volume 20, Revision 1, "Consolidated Guidance About Materials Licenses: Guidance About Administrative Licensing Procedures;"
2. We have updated our records to include your contact information as a management representative;
3. Thermo Process Instruments has expanded the list of authorized sources for the Models 5201 and 5202 in the corresponding Sealed Source and Device Registry, and as a result your devices' authorizations have been similarly expanded; and
4. You did not specifically request the cesium-137 component of the CB-HI Cross-Belt Elemental Analyzer, however it was authorized in your previous license and, in accordance with our call on July 23, 2021, it is still possessed by Marshall County Coal Resources, Inc., so is carried over to your renewed license.

If there are any errors or questions, please contact Mr. Jason vonEhr at (610) 337-5256 or via electronic mail at Jason.vonEhr@nrc.gov so that appropriate corrections or answers can be provided.

An environmental assessment for this action was not required, since this action is categorically excluded under 10 CFR 51.22(c)(14).

Please be advised that your license expires at the end of the day in the month and year stated in the license. Until your license has been terminated, you must conduct your program in accordance with the conditions of your license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspections and Investigations," 10 CFR Part 20, "Standards for

Protection Against Radiation,” and other appropriate regulations.

2. Notify NRC in writing 30 days in advanced of any change in mailing address.
3. In accordance with 10 CFR 30.36(d), notify NRC promptly, in writing, within 60 days and request termination of the license:
 - a. When you decide to terminate all activities involving materials authorized under the license whether at the entire site or any separate building or outdoor area;
 - b. If you decide not to acquire or possess and use authorized material; or
 - c. When no principal activities under the license have been conducted for a period of 24 months.
4. Request and obtain a license amendment before you:
 - a. Change Radiation Safety Officers;
 - b. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;
 - c. Add or change the areas of use or address or addresses of use identified in the license application or on the license;
 - d. Change the name or ownership of your organization.
5. Submit a complete renewal application or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 60 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a Notice of Violation, or Imposition of a Civil Penalty, or an Order Suspending, Modifying or Revoking your license as specified in the NRC Enforcement Policy.

The NRC Enforcement Policy is available at:

<http://www.nrc.gov/reading-rm/doc-collections/enforcement/>.

An electronic version of the NRC’s regulations is available on the NRC Web Site at:

www.nrc.gov. Additional information regarding use of radioactive materials may be obtained on the NRC Web Site at: <http://www.nrc.gov/materials/miau/mat-toolkits.html>. This site also provides the link to the toolbox for updated information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

The NRC’s Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency’s expectations for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC’s safety culture Web Site at: <http://www.nrc.gov/about-nrc/safety-culture.html>. We strongly encourage you to

review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

Please be aware that, as a holder of an NRC license, you may be subject to the NRC's licensing and inspection fees in accordance with 10 CFR Part 170, and annual fees in accordance with 10 CFR Part 171. If you have any questions concerning the fee requirements, please contact the License Fee and Accounts Receivable Branch at (301) 415-7544.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice and Procedure," 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 document system (ADAMS). ADAMS is accessible from the NRC Web Site at: <http://www.nrc.gov/reading-rm/adams.html>.

Thank you for your cooperation.

Sincerely,

Betsy Ullrich, Senior Health Physicist
Commercial, Industrial, R&D
and Academic Branch
Division of Radiological Safety and Security
Region I

License No. 34-35134-01
Docket No. 030-38720
Mail Control No. 626892

Enclosure:
Amendment No. 3

cc: Danial Burlenski, Radiation Safety Officer

MARSHALL COUNTY COAL RESOURCES, INC., LICENSE RENEWAL, MAIL CONTROL
NO. 626892 DATED AUGUST 2, 2021

DOCUMENT NAME: G:\WBL Documents\WBL License Cover Letter\L34-35134-01.626892.docx

SUNSI Review Complete: JEV1

After declaring this document "An Official Agency Record" it will be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	RI:DRSS	N	RI:DRSS	N				
NAME	Jason vonEhr		Betsy Ullrich					
DATE	07/30/2021		8/2/21					

OFFICIAL RECORD COPY