

## NRC FORM 313

(06-30-2022)  
10 CFR 30, 32,  
33, 34, 35, 36,  
37, 39, and 40

## U.S. NUCLEAR REGULATORY COMMISSION

APPLICATION FOR  
MATERIALS LICENSE

APPROVED BY OMB: NO. 3150-0120

EXPIRES: 01/31/2023

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, Library, and Information Collections Branch (T-6 A10M), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by e-mail to [Infocollections.Resource@nrc.gov](mailto:Infocollections.Resource@nrc.gov), and the OMB Reviewer at: OMB Office of Information and Regulatory Affairs, (3150-0120), Attn: Desk Officer for the Nuclear Regulatory Commission, 725 17th Street NW, Washington, DC 20503; e-mail: [omb\\_submission@omb.eop.gov](mailto:omb_submission@omb.eop.gov). The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the document requesting or requiring the collection displays a currently valid OMB control number.

INSTRUCTIONS: SEE THE CURRENT VOLUMES OF THE NUREG-1556 TECHNICAL REPORT SERIES ("CONSOLIDATED GUIDANCE ABOUT MATERIALS LICENSES") FOR DETAILED INSTRUCTIONS FOR COMPLETING THIS FORM: <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/>. SEND TWO COPIES OF THE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.

## APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:

MATERIALS SAFETY AND TRIBAL LIAISON BRANCH  
DIVISION OF MATERIALS SAFETY, SECURITY, STATE AND TRIBAL PROGRAMS  
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS  
U.S. NUCLEAR REGULATORY COMMISSION  
WASHINGTON, DC 20555-0001

## ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:

## IF YOU ARE LOCATED IN:

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,

## SEND APPLICATIONS TO:

LICENSING ASSISTANCE TEAM  
DIVISION OF RADIOLOGICAL SAFETY AND SECURITY  
U.S. NUCLEAR REGULATORY COMMISSION, REGION I  
475 ALLENDALE ROAD, SUITE 102  
KING OF PRUSSIA, PA 19406-1415  
[R1DRSSMail.Resource@nrc.gov](mailto:R1DRSSMail.Resource@nrc.gov)

\*Note: The preferred method to submit NRC Form 313 is e-mail. Any other document (e.g., financial assurance documents) should be sent via mail.

## IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:

MATERIALS LICENSING BRANCH  
U.S. NUCLEAR REGULATORY COMMISSION, REGION III  
2443 WARRENVILLE ROAD, SUITE 210  
LISLE, IL 60532-4352  
[R3DNMSMAIL.Resource@nrc.gov](mailto:R3DNMSMAIL.Resource@nrc.gov)

\*Note: The preferred method to submit NRC Form 313 is e-mail. Any other documents (e.g., financial assurance documents) should be sent via mail.

## IF YOU ARE LOCATED IN:

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,

## SEND APPLICATIONS TO:

MATERIALS LICENSING BRANCH  
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV  
1600 E. LAMAR BOULEVARD  
ARLINGTON, TX 76011-4511  
[rdlicensingactionsubmittals@nrc.gov](mailto:rdlicensingactionsubmittals@nrc.gov)

\*Note: The preferred method to submit NRC Form 313 is e-mail. Any other document (e.g., financial assurance documents) should be sent via mail.

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.

## 1. THIS IS AN APPLICATION FOR (Check appropriate item)

- ☐ A. NEW LICENSE
- ☐ B. AMENDMENT TO LICENSE NUMBER
- ☒ C. RENEWAL OF LICENSE NUMBER

47-24917-01

## 2. NAME AND MAILING ADDRESS OF APPLICANT (Include zip code)

D. Edward Brown  
VP - Technical Services  
250 W. Main Street, Suite 2000  
Lexington, KY 40507

## 3. ADDRESS WHERE LICENSED MATERIALS WILL BE USED OR POSSESSED

2000 Guyan Mine Rd  
Rum Creek, WV 25607

## 4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Tyler Green

BUSINESS TELEPHONE NUMBER  
304-500-8927

BUSINESS CELLULAR TELEPHONE NUMBER  
304-228-5753

## BUSINESS E-MAIL ADDRESS

Tyler.Green@Blackhawkmining.com

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](#).

## 5. RADIOACTIVE MATERIAL

- a. Element and mass number; b. chemical and/or physical form; and c. maximum amount which will be possessed at any one time.

## 8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.

## 10. RADIATION SAFETY PROGRAM.

## 12. LICENSE FEES (Fees required only for new applications, with few exceptions\*)

(See 10 CFR 170 and Section 170.31)

\*Amendments/Renewals that increase the scope of the existing license to a new or higher fee category will require a fee.

FEE  
CATEGORYAMOUNT  
ENCLOSED \$

PER THE DEBT COLLECTION IMPROVEMENT ACT OF 1996 (PUBLIC LAW 104-134), YOU ARE REQUIRED TO PROVIDE YOUR TAXPAYER IDENTIFICATION NUMBER. PROVIDE THIS INFORMATION BY COMPLETING NRC FORM 531: <https://www.nrc.gov/reading-rm/doc-collections/forms/nrc531info.html>.

## 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.

## CERTIFYING OFFICER -- TYPED/PRINTED NAME AND TITLE

D. Edward Brown

## SIGNATURE

## DATE

03/14/2023

## FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	

## ITEMS 5 THROUGH 11 NRC FORM 313

5. **1)** A: Cs-137 and Am-241 B: Physical Form C: CoalSCAN 3500 SN: 17759

**2)** A:CS-137;AM-241 B: Physical Form C: Troxler SN: 24592

**3)** A:CF-252 B: Physical Form C: Thermogammametrics Model CBX SN: 861004

**4)** A: Cs-137 B: Physical Form C: TN 5202

**5)** A: CS-137 B: Physical Form C: TN 5201

**6)** A: CS-137 B: Physical Form C: Ohmart-Vega SR 1A

**7)** A: TN 5201 B: Physical Form C: TN 5201

6. Licensed materials are currently in a double locked steel storage locker while also inside individual storage containers. These materials will be when the plant is reopened to process coal.

7. Tyler Green – Trained and completed a course with Radiation Solutions that meet the requirements of NUREG 1556 VOL 4, 10 CFR Parts 19, 20 &30, and DOT HAZMAT requirements in 49 CFR 172.

8. Currently no individuals work in or around the sources on a regular basis. The only person that comes in close contact with the stored sources is the RSO to complete required testing and audits.

9. All sources are currently in storage. The sources will be used again when the plant is re-opened for processing coal.

10. Devices are clearly marked with a marking "Caution Radioactive Materials". All materials are in a double locked magazine and then also locked in individual containers. Testing is completed by the RSO on bi-annual basis and are audited quarterly. If damaged the RSO will immediately coordinate with certified personnel for repairs or removal.

11. Disposal of waste will be Contracted out to certified professionals.

# Certificate of Completion

PRESENTED BY  
RADIATION SOLUTIONS, LLC  
TO

## Tyler Green

HAS SUCCESSFULLY COMPLETED THE RADIATION SAFETY AND NUCLEAR  
GAUGE USER SAFETY TRAINING IN ACCORDANCE WITH THE  
REQUIREMENTS OF NUREG 1556 VOL 1, 10 CFR PARTS 19 & 20, AND DOT  
HAZMAT REQUIREMENTS IN 49 CFR 172.

*Jon O'Rullivan*  
\_\_\_\_\_  
JON O'RULLIAN, TRAINER

Sugar City, ID  
\_\_\_\_\_

JANUARY 14,, 2022



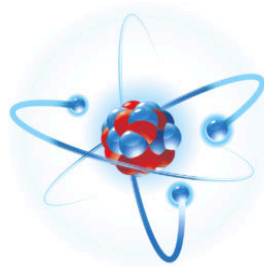
# CERTIFICATE OF COMPLETION

Presented by Radiation Solutions, LLC to

## Tyler Green

Has successfully completed the course listed above in accordance with the requirements of NUREG 1556  
VOL 4, 10 CFR Parts 19, 20 & 30, and DOT HAZMAT requirements in 49 CFR 172.

completed on



*JC O'Rullivan*

JC O'RULLIAN

Instructor