DL-012699_04

January 26, 1999

Evergreen Mining Company
ATTN: Mr. James G. Pugh
Radiation Safety Officer
P. O. Box 972
Cowen, WV 26206

SUBJECT: TERMINATION OF LICENSE NO. 47-25304-01 (REFERENCE CONTROL NO. 258211; DOCKET NO. 030-33586)

Dear Mr. Pugh:

In response to your recent request, enclosed please find termination of your NRC materials license. We have taken this action in response to your letters and Certificate of Disposition (NRC Form 314) dated December 15, 1998.

If there are any errors or questions, please notify this office (ATTN: Ms. Diane Heim at (404) 562-4723) so that we can provide appropriate corrections and answers.

Sincerely,

/S/

Michael L. Fuller, License Reviewer
Division of Nuclear Materials Safety

Enclosure: NRC Materials License Termination

OFFICE	RII:DNMS	RII:DNMS	RII:DNMS				
SIGNATURE							
NAME	MFuller	MLesser	CHosey				
DATE	1/26/99	1/27/99	1/26/99	1/ /99	1/ /99	1/ /99	1/ /99
COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

OFFICIAL RECORD COPY DOCUMENT NAME: G:\NMSS\DNMS\COVLTR\258211TL.MLF

: (FOR LFMS USE)
: INFORMATION FROM LTS
BETWEEN: : ----------
:
License Fee Management Branch, ARM : Program Code: 03120
and : Status Code: 0
Regional Licensing Sections : Fee Category: 3P
: Exp. Date: 20040831
: Fee Comments: _____
: Decom Fin Assur Reqd: N
::

LICENSE FEE TRANSMITTAL

A. REGION II

1. APPLICATION ATTACHED
Applicant/Licensee: EVERGREEN MINING COMPANY
Received Date: 19981211
Docket No: 3033586
Control No.: 258211
License No.: 47-25304-01
Action Type: Termination

2. FEE ATTACHED
Amount: NONE_____
Check No.: _____

3. COMMENTS

Signed _DIANE HEIM_____
Date ____12/22/98_____

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered ___)

1. Fee Category and Amount: _____

2. Correct Fee Paid. Application may be processed for:
Amendment _____
Renewal _____
License _____

3. OTHER _____
_____

Signed _____
Date _____

NRC FORM 314 (5-96) U.S. NUCLEAR REGULATORY COMMISSION

APPROVED BY OMB NO. 3150-0028 EXPIRES: [illegible]

CERTIFICATE OF DISPOSITION OF MATERIALS

INSTRUCTIONS: ALL ITEMS MUST BE COMPLETED — PRINT OR TYPE
SEND THE COMPLETED CERTIFICATE TO THE NRC OFFICE SPECIFIED ON THE REVERSE

Evergreen Mining Company P.O. Box 972 Cowen, WV 26206	47-25304-01 August 31, 1999

A. MATERIALS DATA (Check one and complete as necessary)

THE LICENSEE OR ANY INDIVIDUAL EXECUTING THIS CERTIFICATE ON BEHALF OF THE LICENSEE CERTIFIES THAT:
(Check and/or complete the appropriate item(s) below.)

[ ] 1. NO MATERIALS HAVE EVER BEEN PROCURED OR POSSESSED BY THE LICENSEE UNDER THIS LICENSE.

OR

[X] 2. ALL ACTIVITIES AUTHORIZED BY THE LICENSE HAVE CEASED AND ALL MATERIALS PROCURED AND/OR POSSESSED BY THE LICENSE NUMBER CITED ABOVE HAVE BEEN DISPOSED OF IN THE FOLLOWING MANNER. (If additional space is needed, use the reverse side or provide attachments.)

The Licensed Material was removed by Energy Technologies Inc.

Describe specific material transfer actions and, if there were radioactive wastes generated in terminating this license, the disposal actions including the disposition of low-level radioactive waste, mixed waste, Greater-than-Class-C waste, and sealed sources, if applicable.

A swipe test was performed and the Sealed Sources of Ba-133 (10 mCi) and Am-241 (200 mCi) were removed from the Ashmeter and shipped to ETI in a DOT 7A transport container. No Rad-Waste was generated

For transfers, specify the date of the transfer, the name of the license recipient, and the recipient's NRC license number or Agreement State name and license number.

The Radioactive Material was transferred on October 27, 1998 by and to Energy Technologies Inc. License # R-47148-D03

If materials were disposed of directly by the licensee rather than transferred to another licensee, licensed disposal site or waste contractor, describe the specific disposal procedures (e.g., decay in storage)

B. OTHER DATA

[X] 1. OUR LICENSE HAS NOT YET EXPIRED; PLEASE TERMINATE IT.

2. A RADIATION SURVEY WAS CONDUCTED BY THE LICENSEE TO CONFIRM THE ABSENCE OF LICENSED RADIOACTIVE MATERIALS AND TO DETERMINE WHETHER ANY CONTAMINATION REMAINS ON THE PREMISES COVERED BY THE LICENSE. (Check one)

[ ] NO (Attach explanation)
[X] YES, THE RESULTS (Check one)
[X] ARE ATTACHED, or
[ ] WERE FORWARDED TO NRC ON (Date)

A swipe Test was performed upon removal of material, the results are documented on attached Certificate.

3. THE PERSON TO BE CONTACTED REGARDING THE INFORMATION PROVIDED ON THIS FORM	NAME Joe Mc Pherson	TELEPHONE NUMBER (Include Area Code) 304-226-2126

4. MAIL ALL FUTURE CORRESPONDENCE REGARDING THIS LICENSE TO

Evergreen Mining Company, P.O. Box 972 , Cowen, WV 26206

CERTIFYING OFFICIAL

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

NAME AND TITLE	SIGNATURE	DATE
Joe Mc Pherson Eng. Tech.	Joe McPherson	12/15/98

WARNING: FALSE STATEMENTS IN THIS CERTIFICATE MAY BE SUBJECT TO CIVIL AND/OR CRIMINAL PENALTIES. NRC REGULATIONS REQUIRE THAT SUBMISSIONS TO THE NRC BE COMPLETE AND ACCURATE IN ALL MATERIAL RESPECTS. 18 U.S.C. SECTION 1001 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 JURISDICTIONS.

NRC FORM 314 (5-96)

TOTAL P.02

258211

258211

NRC FORM 374A U.S. NUCLEAR REGULATORY COMMISSION

MATERIALS LICENSE
SUPPLEMENTARY SHEET

OFFICIAL RECORD COPY

License No
47-25304-01

Docket No
030-33586

Amendment No
1

Evergreen Mining Company
P.O. Box 972
Cowen, West Virginia 26206

In accordance with Certification of Disposition of Materials dated December 15, 1998, License No. 47-25304-01, is hereby terminated.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

MICHAEL L. FULLER

Date JAN 26 1999

By

Region II, Division of Nuclear Materials Safety
61 Forsyth Street, SW, Suite 23T85
Atlanta, GA 30303

N ACTIVE 25304 T01

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PDR ADOCK 03033586
C PDR