

MATERIALS LICENSE
SUPPLEMENTARY SHEET
OFFICIAL RECORD COPY

License Number	47-25103-01
Docket or Reference Number	030-31734
Amendment No. 03	

DL-022197-08

Eastern Associated Coal Corp.
Harris Complex, HCR 78, Box 113
Route 85, Bald Knob, West Virginia 25010

In accordance with Certificate of Disposition of Materials dated January 10, 1997, License Number 47-25103-01 is hereby terminated.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

DAVID J. COLLINS

David J. Collins

Date FEB 21 1997.

By Region II, Division of Nuclear Materials Safety
101 Marietta Street N.W., Suite 2000
Atlanta, GA 30323

NMLICENSE# 251031

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION II
101 MARIETTA STREET, N.W., SUITE 2900
ATLANTA, GEORGIA 30323-0199

FEB 21 1997

INFORMATION FOR NRC MATERIAL LICENSEES

Please find enclosed: _____ Your NRC material license
_____ Amendment to your NRC material license
_____ Amendment renewing your NRC material license
_____ Amendment terminating your NRC material license
_____ Notice for Radiographer Quality Assurance Approval Program

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify this office (ATTN: Ms. Diane Heim at (404) 331-4673) so that we can provide appropriate corrections and answers.

Please be advised that your license expires at the end of the day in the month and year stated in the license. Unless your license has been terminated, you must conduct your program involving byproduct materials in accordance with the conditions of your NRC 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 19, "Notice, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Not possess and use materials authorized in items 6, 7, and 8, on the license until:
 - a. you have constructed the facilities and obtained the equipment described in the license application and supporting documentation; and
 - b. you have notified the U. S. Nuclear Regulatory Commission, Region II, ATTN: Materials Licensing/Inspection Branch, in writing, that activities authorized by the license will be initiated.
 - c. you have submitted & certified implementation of a Quality Management Program (10 CFR 35.32) for radiotherapy, or for administering > 30 uCi of I-125 or I-131.
3. Notify NRC, in writing, within 30 days:
 - a. when an authorized user, Radiation Safety Officer, or Teletherapy Physicist permanently discontinues performance of duties under the license or has a name change; or
 - b. when the licensee's mailing address changes (no fee is required if the location of byproduct material remains the same).
4. In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
 - a. when you decide to terminate all activities involving materials authorized under the license; or
 - b. if you decide not to complete the facility, acquire equipment, or possess and use authorized material

5. Request and obtain a license amendment before you:
- receive or use byproduct material for a clinical procedure permitted under Part 35 but not permitted by your license issued pursuant to this part.
 - permit anyone, not authorized under 10 CFR 35, Subpart J, to work as an authorized user under a license for medical use of byproduct material.
 - permit anyone, not authorized under 10 CFR 35, Subpart J, to work as a Radiation Safety Officer, Teletherapy Physicist, or Nuclear Pharmacist, under a license for medical use of byproduct material.
 - order byproduct material in excess of the amount, or a different radionuclide or form, other than authorized on the license;
 - add or change the areas of use or address (or addresses) of use identified in the license application or on the license; or
 - change ownership of your organization.
6. Submit a complete renewal application with proper fee or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations. Transfer of licensed materials must be consistent with 10 CFR 30.41, 40.51 or 70.42, as applicable. A license will not normally be renewed, except on a case-by-case basis, in instances where licensed material has never been possessed or used.

In addition, please note that NRC Form 313 requires the applicant, by his/her signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant.

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 "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG-1600, (7/95). Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken against those who do not achieve the necessary attention to detail and standard of compliance expected of licensees.

Thank you for your cooperation.

Enclosures

- NRC License
- Category Marked Below for:
 - New licenses: NUREG 1600 (7/95); 19, 20, 30, 40 or 70, as appropriate; 71; 170; NRC Form 3; Agreement State list; and NRC Form 313.
 - New radiography licenses: Parts 34; 150.
 - New medical and teletherapy licenses: Part 35
 - Amendments and renewals: NRC Form 313.

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(FOR LFMS USE)
INFORMATION FROM LIS

BETWEEN:
License Fee Management Branch, ARM
and
Regional Licensing Sections

Program Code: 03120
Status Code: 0
Fee Category: 3P
Exp. Date: 20050630
Fee Comments:
Decom Fin Assur Req'd: N

LICENSE FEE TRANSMITTAL

A. REGION CT

1. APPLICATION ATTACHED EASTERN ASSOCIATED COAL CORP.

Applicant/Licensee: 970122
Received Date: 3031734
Docket No.: 257349
Control No.: 47-25103-01
License No.:
Action Type: Termination

2. FEE ATTACHED

Amount: NONE
Check No.:

3. COMMENTS

Signed DIANE HEIM
Date 1/23/97

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered / /)
1. Fee Category and Amount: 3P **FEE EXEMPT**
2. Correct fee paid Application may be processed for: LCM

Amendment
Renewal
License

3. OTHER

Signed Kita Messier
Date 1/23/97

RECEIVED BY LFMS
1/28/97
1/28/97

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS MANDATORY INFORMATION COLLECTION REQUEST IS 10 MINUTES. THIS SUBMITTAL IS USED BY NRC AS PART OF THE BASIS FOR ITS DETERMINATION THAT THE FACILITY HAS BEEN CLEARED OF RADIOACTIVE MATERIAL BEFORE THE FACILITY IS RELEASED FOR UNRESTRICTED USE. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE INFORMATION AND RECORDS MANAGEMENT BRANCH, T-8 1331 U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20545-0001, AND TO THE PAPERWORK REDUCTION PROJECT DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503. AN AGENCY MAY NOT CONDUCT OR SPONSOR, AND A PERSON IS NOT REQUIRED TO RESPOND TO, A COLLECTION OF INFORMATION UNLESS IT DISPLAYS A CURRENTLY VALID OMB CONTROL NUMBER.

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.

LICENSEE NAME AND ADDRESS
Eastern Associated Coal Corp
Harris Complex, HCR 78, Box 113
Route 85, Bald Knob, West Virginia 25010

LICENSE NUMBER
47-25103-01
LICENSE EXPIRATION DATE
June 30 2000

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 one or complete the appropriate items) below.)

- 1 NO MATERIALS HAVE EVER BEEN PROCURED OR POSSESSED BY THE LICENSEE UNDER THIS LICENSE.
- OR
- 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 Troxler 3411 gauge has been returned to the vendor
The Coalsean 3500 is being transferred in place to NRC License 47-24801-01
In connection with the termination of this license, the disposal actions include the disposition of low level radioactive waste, mixed waste, Greater than Class C waste, and sealed sources, if applicable.

N/A

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

The troxler gauge was transferred to the Troxler Company
The Coalsean 3500 was transferred to Eastern Associated Coal Corp, NRC License 47-24801-01

Materials were disposed of directly by the licensee rather than transferred to another licensee, licensed disposal site of waste, or other disposal facility. (If additional space is needed, use the reverse side.)

N/A

B. OTHER DATA

- 1 THE LICENSE HAS NOT EXPIRED. PLEASE TERMINATE IT.
- 2 A RADIATION SURVEY WAS CONDUCTED BY THE LICENSEE TO CONFIRM THE ABSENCE OF UNLICENSED RADIOACTIVE MATERIALS AND TO DETERMINE WHETHER ANY CONTAMINATION REMAINS ON THE PREMISES COVERED BY THE LICENSE. (Check one)
 - NO. ATTACHED TO THIS CERTIFICATE.
 - YES. THE RESULTS OF THIS SURVEY ARE ATTACHED TO THIS CERTIFICATE.
 - The Troxler was negative
 - The Coalsean was negative
- 3 THE PERSON TO BE CONTACTED REGARDING THE INFORMATION PROVIDED IN THIS FORM: Joseph G. Benedict
- 4 MAIL ADDRESS FOR CORRESPONDENCE REGARDING THIS CERTIFICATE: 304-595-1053

CERTIFYING OFFICIAL

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

LICENSEE NAME AND TITLE
Joseph G. Benedict
Sr. Environ. Field Spc.
SIGNATURE
Joseph G. Benedict
DATE
1-10-97

WARNING: FALSE STATEMENTS IN THIS CERTIFICATE MAY BE SUBJECT TO CIVIL AND/OR CRIMINAL PENALTIES. THE REGULATIONS REQUIRE THAT SUBMISSIONS TO THE NRC BE COMPLETE AND ACCURATE IN ALL MATERIAL RESPECTS. 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 JURISDICTION.

FILE CERTIFICATES AS FOLLOWS:

IF YOU ARE A DISTRIBUTOR OF EXEMPT PRODUCTS, SEND TO:

DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY
OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON DC 20555 0001

ALL OTHERS, IF YOU ARE LOCATED IN:

**CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE,
MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW
JERSEY, NEW YORK, PENNSYLVANIA, RHODE ISLAND, OR
VERMONT SEND APPLICATIONS TO:**

LICENSING ASSISTANCE SECTION
NUCLEAR MATERIALS SAFETY BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA PA 19408 1415

**ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI,
NORTH CAROLINA, PUERTO RICO, SOUTH CAROLINA,
TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA,
SEND APPLICATIONS TO:**

NUCLEAR MATERIALS SAFETY SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION II
101 MARIETTA STREET NW SUITE 2900
ATLANTA GA 30333 0199

IF YOU ARE LOCATED IN:

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

MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION III
801 WARRENVILLE ROAD
LISLE IL 60532 4361

**ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO
HAWAII, IDAHO, KANSAS, LOUISIANA, MONTANA, NEBRASKA,
NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA,
OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA,
TEXAS, UTAH, WASHINGTON, OR WYOMING, SEND
APPLICATIONS TO:**

MATERIAL RADIATION PROTECTION SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
611 RYAN PLAZA DRIVE SUITE 400
ARLINGTON TX 76011 8064