



REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

August 19, 2009

Docket No. 03006692
Control No. 143995

License No. 47-11451-01

Andrew Lowe
Corporate Mine Safety and Compliance Manager
Capital Cement Corporation
1826 South Queen Street
Martinsburg, WV 25401

SUBJECT: CAPITAL CEMENT CORPORATION, LICENSE AMENDMENT, CONTROL NO.
143995

Dear Mr. Lowe:

This refers to your license amendment request dated August 6, 2009. Enclosed with this letter is the amended license.

Condition 13 that appears in previous amendments to your license is no longer required; therefore we have removed the condition from the amended license.

Please review the enclosed document carefully and be sure that you understand and fully implement all the conditions incorporated into the amended license. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5239, so that we can provide appropriate corrections and answers.

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

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Regulations, Guidance, and Communications**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 7:00 a.m. to 6:30 p.m. EST, Monday through Friday (except Federal holidays).

Thank you for your cooperation.

Sincerely,

Original signed by Sattar Lodhi, Ph.D.

Sattar Lodhi, Ph.D.
Senior Health Physicist
Materials Security and Industrial Branch
Division of Nuclear Materials Safety

A. Lowe

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Enclosure: Amendment No. 14

cc: Patricia Millard, Radiation Safety Officer

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SUNSI Review Complete: SLodhi

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