



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

June 1, 2011

Docket No. 03035744
Control No. 575257

License No. 47-25566-01

Shane Harvey
Assistant Secretary
Nicholas Energy Company
P. O. box 26765
Richmond, VA 23261-6765

SUBJECT: NICHOLAS ENERGY COMPANY, LICENSE AMENDMENT, CONTROL
NO. 575257

Dear Mr. Harvey:

This refers to your letter dated May 25, 2011, requesting the NRC's approval of the proposed merger between Alpha Natural Resources, Inc., and Massey Energy Company, and the indirect transfer of control of the above listed NRC license to the new entity resulting from the merger. From your letter, we understand that this transfer will not result in any changes in your licensed activities and your radiation safety procedures. Based on this understanding, this office does not object to the transfer of the NRC license listed above. We have amended the license to incorporate your letter into condition 24 of the license. Enclosed with this letter is the amended license.

The amended license is written in accordance with current NRC policy and includes significant changes to the 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; Med, Ind, & Academic Uses**; then **Licensee Toolkits**, see our **toolkit index page**. 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).

S. Harvey

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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

Enclosure:
Amendment No. 04

cc:
William G. Newsome, Radiation Safety Officer

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SUNSI Review Complete: SLodhi

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