



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

May 15, 2012

Docket No. 03030008  
Control No. 577421

License No. 47-24917-01

Kent DesRocher  
President  
Apogee Coal Company, LLC  
dba Arch of West Virginia, Inc.  
P. O. Box 156  
Yolyn, WV 25654-0156

SUBJECT: APOGEE COAL COMPANY, LLC, LICENSE AMENDMENT, CONTROL  
NO. 577421

Dear Mr. DesRocher:

This refers to your license amendment request dated April 19, 2012. Enclosed with this letter is 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.

Please note that your license expires on November 30, 2012. You must submit a complete renewal application no later than October 31, 2012. Detailed instructions for completing the renewal application are provided in NUREG 1556, Vol. 4. You can download this document from NRC web site at [www.nrc.gov](http://www.nrc.gov).

You had sent your request to NRC Region II office that is no longer responsible for managing radioactive materials licenses in West Virginia. This responsibility was transferred to NRC Region I office, therefore you should address all future correspondence related to your NRC license to this office. The new address of Region I office is:

USNRC, Region I  
ATTN: DNMS  
2100 Renaissance Boulevard, Suite 100  
King of Prussia, PA 19406-2713

Telephone numbers of Region I office remain unchanged.

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](http://www.nrc.gov);

K. DesRocher

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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 8:00 a.m. to 5:30 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

Enclosure:  
Amendment No. 12

cc:  
Eric Campbell, Radiation Safety Officer

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**SUNSI Review Complete: SLodhi**

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|--------|-------------|---|---------|---------|--|--|
| OFFICE | DNMS/RI     | N | DNMS/RI | DNMS/RI |  |  |
| NAME   | SLodhi /SL/ |   |         |         |  |  |
| DATE   | 5/15/2012   |   |         |         |  |  |

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