



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
REGION I  
2100 RENAISSANCE BOULEVARD, SUITE 100  
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

December 17, 2013

Docket No. 03038231

License No. 47-31399-01

Richard R. Usery  
V. P. of Coal Sales and Surface Operations  
Coresco, LLC  
308 Dents Run Road  
Morgantown, WV 26501

SUBJECT: ACCEPTANCE OF NOTIFICATION OF BANKRUPTCY FILING

Dear Mr. Usery:

This refers to the letter dated November 21, 2013, notifying this office that on August 30, 2013, Coresco, LLC filed for bankruptcy under Chapter 11 of the United States Bankruptcy Code. Your letter is accepted as the notification required by 10 CFR 30.34(h).

Please be reminded that this bankruptcy filing does not relieve Coresco, LLC of its obligations to comply with NRC requirements, including those relating to security and control of licensed material; decontamination and decommissioning of contaminated facilities; and the retention of personnel required by NRC requirements [e.g. the Radiation Safety Officer (RSO), authorized users, etc.].

If the RSO leaves your employ, you must first properly secure, dispose of, or transfer all licensed material, and you must inform NRC of this situation. If you need to close a building, you must first properly secure, dispose of, or transfer all licensed material that was in the building. Additionally, the license conditions, and the license remain in full effect even beyond the stated expiration date of the license, until terminated in writing by NRC, and inspections of your activities by the NRC will continue to occur.

You may not transfer control of your license or licensed material without prior written NRC approval, except as authorized by NRC regulations. You should ensure that your attorney and any trustee involved in the bankruptcy proceedings are aware of these obligations. Any person or entity who takes control of licensed activities or possession of the licensed material must first obtain an NRC license. Additionally, pursuant to Section 184 of the Atomic Energy Act, a reorganized entity emerging from Chapter 11 bankruptcy is required to receive written approval from NRC prior to assumption of control over licensed activities.

Because the regulations cited above require each licensee to provide the required notification, we request your assistance in providing to us the names, addresses, and telephone numbers of any other entities that may be affected by this bankruptcy filing (e.g., sister or daughter company with an NRC or an Agreement State license).

Please notify this office immediately, in writing, if you are unable to meet any of these

requirements/conditions. Also please notify this office: (1) of any changes to your licensed activities that the bankruptcy court may require; (2) when the bankruptcy proceeding is completed; and (3) when Coresco, LLC emerges from bankruptcy. Please contact Sattar Lodhi of this office at (610) 337-5364 if you have any questions or need information concerning the status of your licensed activities.

Current NRC regulations and guidance are included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **Nuclear Materials; Medical, Med, Ind, & Academic Users**; then **Regulations, Guidance and Communications**. The current Enforcement Policy is included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **About NRC, Organizations & Functions; Office of Enforcement; Enforcement documents**; then **Enforcement Policy (Under 'Related Information')**. 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 Blake D. Welling***

Blake D. Welling, Chief  
Commercial, Industrial, R&D, and Academic  
Branch  
Division of Nuclear Materials Safety

cc:  
Richard Rohrssen, Radiation Safety Officer  
State of West Virginia

DISTRIBUTION (via e-mail):

- J. Clifford, DNMS/RI
- M. Burgess, FSME/HQ
- E. Montieth, ORA/RI
- S. Chidakel, OGC/HQ

DOCUMENT NAME: G:\WordDocs\Current\Misc Letter\L47-31399-01.582574.doc

**SUNSI Review Complete: BWellington**

After declaring this document "An Official Agency Record" it will be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	N	DNMS/RI	N	DNMS/RI		
NAME	SLodhi/SL		BWellington/BW				
DATE	12/17/2013		12/17/2013				

OFFICIAL RECORD COPY