



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

TELEFAX TRANSMITTAL

DATE May 9, 2016

NUMBER OF PAGES 6

SEND TO Peabody Midwest Mining, LLC (Bear Run Mine), Randy Bowman,
Radiation Safety Officer, NRC License 13-15133-05

LOCATION Carlisle, IN

FAX NUMBER (812) 659-7121

VERIFY BY CALLING

FROM: Bill Reichhold
(Sender)

TELEPHONE NUMBER (630) 829-9839

FAX NUMBER (630) 515-1259

If you do not receive the complete fax transmittal, please contact the sender as soon as possible at the telephone number provided above.

MESSAGE See accompanying documents.

NOTICE

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this communication in error, please notify the sender immediately by telephone and return the original to the above address, by U.S. Mail. Thank You.

It has come to our attention that Peabody Midwest Mining, LLC (Bear Run Mine), NRC License 13-15133-05 has filed for bankruptcy. NRC requirements for licensees that are the subject of a bankruptcy filing can be found in 10 CFR (U.S. Code of Federal Regulations) 30.34(h). The purpose of the regulations is to ensure that public health and safety is adequately protected and that radioactive material is properly controlled. (Please see accompanying copy of 30.34 (h)).

Please provide the following additional information:

1. (a) Please identify what radionuclides are possessed by your company at this time.

(b) Please indicate if you plan to dispose of any of your radionuclides during bankruptcy proceedings.
2. For the radionuclides identified above, please specify if the radionuclide(s) are in use or in secured storage at this time.
3. Please indicate if there has been any changes in the Radiation Safety Officer or authorized user(s) for the radionuclides.
4. Please submit a written notification of the bankruptcy to the NRC Region 3, Administrator, as required by 10 CFR 30.34:
Please provide the following:

Name of bankruptcy court where petition was filed.

Date bankruptcy petition was filed.

Please see attached form.
5. Please specify the type of bankruptcy filed, such as Chapter 11, 12, or 13.
6. Please describe any changes that are planned for the company operations and use/storage/disposition of the radionuclides during the bankruptcy proceedings.

7. Please indicate the anticipated date when the bankruptcy will end.
8. I will contact Peabody Midwest Mining, LLC (Francisco Mine), NRC License 13-26785-01) regarding contacting the NRC with the bankruptcy information. Please specify any other affiliated companies that may also have radionuclides that require an NRC license. If so what radionuclides do they possess and specify the license number and location of the company.
9. Please specify who will be the contact person and at what frequency will they update the NRC concerning any changes in the status of the radionuclides or the bankruptcy proceedings. Please make sure you immediately contact the NRC of any change in status of use, security and/or storage of the radionuclides and any change in the individual(s) responsible for the radionuclides and /or nuclear gauge(s).
10. Please specify about how many years the company has been in operation.
11. Please specify if the company has decommissioning financial assurance requirements such as a financial "instrument".
12. Please be reminded that the company cannot change ownership without prior consent from the NRC as required by 10 CFR 30.34(b).
13. Please specify if the company owes any fees to the NRC.
14. Please specify if you have any generally licensed gauges. If so, please provide the type of device, manufacturer's name, model number, radionuclide, and activity of the source(s).

Please send a facsimile of your response to the above to William Reichhold (630) 515-1259 as soon as possible. Please call me at (630) 829-9839 if you have any questions.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this facsimile and the attached documents will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

From the desk of:

A handwritten signature in cursive script that reads "Bill Reichhold". The signature is written in dark ink and is positioned above the printed name.

Bill Reichhold

Attachment
INFORMATION TO NOTIFY NRC OF BANKRUPTCY

1. Name of bankruptcy court where petition was filed. _____
2. Date bankruptcy petition was filed. _____

Your assistance is requested in identifying any other entities that may have NRC or Agreement State licenses that may be affected by the bankruptcy.

<u>Company Name</u>	<u>Address</u>	<u>Telephone Number</u>
_____	_____	_____
_____	_____	_____

(h)(1) Each general licensee that is required to register by § 31.5(c)(13) of this chapter and each specific licensee shall notify the appropriate NRC Regional Administrator, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of title 11 (Bankruptcy) of the United States Code by or against:

(i) The licensee;

(ii) An entity (as that term is defined in 11 U.S.C. 101(14)) controlling the licensee or listing the licensee as property of the estate; or

(iii) An affiliate (as that term is defined in 11 U.S.C. 101(2)) of the licensee.

(2) This notification must indicate:

(i) The bankruptcy court in which the petition for bankruptcy was filed; and

(ii) The date of the filing of the petition.