



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

September 2, 2016

Docket No. 03035744
Control No. 591417

License No. 47-25566-01

Christopher L Ray
President
Power Mountain Contura, LLC
P.O. Box 707
Summersville, WV 26651-0707

**SUBJECT: POWER MOUNTAIN CONTURA, LLC, LICENSE AMENDMENT, CONTROL NO.
591417**

Dear Mr. Ray:

This refers to your license amendment request. Enclosed with this letter is the amended license.

By letter dated August 13, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15251A547), Alpha Natural Resources, Inc., provided notice to the U.S. Nuclear Regulatory Commission (NRC) that it and substantially all its affiliates, including Power Mountain Coal Company, had filed voluntary petitions for reorganization in the Bankruptcy Court for the Eastern District of Virginia. As a part of that reorganization, the Bankruptcy Court has approved an asset purchase agreement by which Alpha Natural Resources, Inc. will sell certain assets to its first lien credit holders ("Credit Bidders"). Pursuant to that agreement, Power Mountain Coal Company is to transfer substantially all of its assets, including its NRC license, to Power Mountain Contura, LLC. Power Mountain Contura, LLC is a wholly-owned, indirect subsidiary of Contura Energy, Inc. The sale is anticipated to close on or about July 25, 2016.

By application dated June 22, 2016 (ADAMS Accession No. ML16197A071), Power Mountain Contura, LLC, a wholly-owned indirect subsidiary of Contura Energy, Inc., submitted to the NRC a request for change of control by indirect transfer of NRC Materials License 47-25566-01 and a request for a name change to Power Mountain Contura, LLC. Based on the information you provided, we understand that the transfer resulted from a Chapter 11 bankruptcy sale whereby Alpha Natural Resources, Inc. and its affiliate Power Mountain Coal Company will sell its operating assets to Power Mountain Contura, LLC.

As a result of the Chapter 11 sale, Power Mountain Contura, LLC, requested approval for an amendment to the current license to change the name from Power Mountain Coal Company, to Power Mountain Contura, LLC, upon NRC approval of the indirect transfer of control. Additional details of the sale of assets were provided in the application dated June 22, 2016 (ADAMS Accession No. ML16197A07) from Power Mountain Contura, LLC, to NRC Region 1. We further understand that this transfer will not result in any change to licensed material, persons

using the license material, location of use of licensed material, or persons responsible for the licensee's radiation safety program.

Based on the above understandings and as more fully detailed in the enclosed NRC staff's Safety Evaluation Report that documents the NRC staff's review of the transfer, the NRC consents to the transfer of control. Accordingly, the NRC is amending your NRC license to reflect this transaction and the name change.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component ADAMS. ADAMS is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>.

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 because this action is categorically excluded under 10 CFR 51.22(c)(21).

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then select **Licensee Toolkits, see our toolkit index page**. You may also obtain these documents by contacting the Government Publishing 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).

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement is not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

Thank you for your cooperation.

Sincerely,

Original signed by Elizabeth Ullrich

John Miller
Health Physicist
Commercial, Industrial, R&D and Academic
Branch
Division of Nuclear Materials Safety

Enclosures: Amendment No. 7

C. Ray

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Safety Evaluation Report

cc: William G. Newsome, Radiation Safety Officer

DOCUMENT NAME: G:\WordDocs\Current\Lic Cvr Letter\L47-25566-01.591417.doc

SUNSI Review Complete: JMiller

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