



# ARGUS ENERGY WV, LLC.

October 13, 2017

*Br. 2*

U.S. Nuclear Regulatory Commission  
Materials Security and Industrial Branch  
Region I  
2100 Renaissance Blvd.  
King of Prussia, PA 19406-2713

RE: Argus Energy WV, LLC  
Wayne County River Terminal  
U.S. NRC License #47-25543-01/*103035574*  
License Amendment – Change of Address  
Change of RSO

REC'D 10/24/17 10:07:05

To whom it may concern:

This letter serves to notify the NRC of a change of address for Argus Energy WV, LLC under License #47-25543-01. The new address is:

Argus Energy WV, LLC  
9104 Twelve Pole Creek Road  
Dunlow, WV 25511

Further, Argus Energy WV, LLC wishes to advise the NRC of a change in Radiation Safety Officer (RSO) under License #47-25543-01. Michael E. White has been named RSO, replacing the former RSO Don Sexton. Please find attached, an executed RSO Delegation of Authority Memorandum and documentation of Mr. White's training.

Feel free to contact me directly at (606) 298-2340 or [larry.a@czarky.net](mailto:larry.a@czarky.net) should you have any questions or comments concerning this matter.

Sincerely,

Larry D. Adams, P.E.  
Vice President – Permitting and Environmental Affairs  
Booth Energy

*601480*

PRODUCTION MATERIAL 0-002



81 Enterprise Drive  
Debord, Kentucky 41214  
(606) 298-2300

**MEMORANDUM**

To: Michael E. White, Radiation Safety Officer  
Argus Energy WV, LLC

From: Paul B. Horn, President / Chief Operating Officer  
Booth Energy

Date: October 12, 2017

Subject: Delegation of Authority

You have been appointed Radiation Safety Officer and are now responsible for ensuring the safe use of radioactive materials as used under the Nuclear Regulatory Commission License. As provided for in the license, you are responsible for managing the radiation protection program; identifying radiation protection problems; initiating, recommending, and/or providing corrective action(s); verifying implementation of any such corrective action(s); stopping unsafe activities and practices; and ensuring compliance with all regulations.

You are hereby delegated the authority necessary to meet those responsibilities, including prohibiting the use of radioactive materials by employees who do not meet the necessary requirements and shutting down operations where justified by radiation safety. You are required to notify management of situations where staff is not cooperating and addressing radiation safety issues. In addition, you are free to raise issues directly with the Nuclear Regulatory Commission at any time.

A handwritten signature in black ink that reads "Paul B. Horn". The signature is written in a cursive style and is positioned above a horizontal line.

Paul B. Horn, President / Chief Operating Officer  
Booth Energy

I accept the above responsibilities.

A handwritten signature in black ink that reads "Michael E. White". The signature is written in a cursive style and is positioned above a horizontal line.

Michael E. White, Radiation Safety Officer  
Argus Energy WV, LLC

**LIMITED POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS, that **Argus Energy, LLC** ("Argus"), a Kentucky limited liability company, hereby constitutes and appoints **Larry D. Adams**, an employee of Matrix Energy, LLC, a Kentucky limited liability company and affiliate of Argus, its true and lawful attorney-in-fact and agent, with full power and authority to execute and deliver on behalf of Argus, all mining permit and related documentation required by the Kentucky Energy and Environmental Cabinet (including all departments and divisions thereunder), the Kentucky Division of Water, West Virginia Department of Environment Protection, the Army Corp. of Engineers, or any other state or federal agency in order to participate in mining activities in the Commonwealth of Kentucky or in the State of West Virginia.

This Power of Attorney shall be effective as of its date of execution and shall remain in effect until revoked in writing. No person acting in reliance upon this power shall be charged with notice of any revocation hereof in the absence of actual knowledge of such revocation.

It is Argus' intention to grant to its attorney-in-fact full and complete authority to act for it and in its stead in the specific matter above described. In no event shall persons relying on this Power of Attorney be required to ascertain the authority of Argus' attorney-in-fact to act hereunder, and all persons dealing with said attorney-in-fact shall be entitled, in the absence of actual knowledge of revocation, to rely upon the authority of such person, and the acts of such person shall bind Argus and acquit persons dealing with my said attorney-in-fact to the same extent as if Argus had been acting in its own behalf.

IN TESTIMONY WHEREOF, witness my signature this 30<sup>th</sup> day of December, 2010.

**Argus Energy, LLC**

By: James H. Booth  
James H. Booth, Member

STATE OF KENTUCKY        )  
  ) SCT.  
COUNTY OF MARTIN        )

The foregoing Limited Power of Attorney was subscribed, sworn to and acknowledged before me on this the 30<sup>th</sup> day of December, 2010, by James H. Booth, a Member of **Argus Energy, LLC**, a Kentucky limited liability company, for and on behalf of said company

My Commission Expires:  
08-18-2013

Cynthia Cline  
Notary Public, State at Large, Kentucky

THIS INSTRUMENT PREPARED BY:

Ulverce D. Hollman  
Argus Energy, LLC  
Legal Department  
107 Dennis Drive  
Lexington, KY 40503

**LIMITED POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS, that **Argus Energy, LLC** ("Argus"), a Kentucky limited liability company, hereby constitutes and appoints **Paul Horn**, an employee of Matrix Energy, LLC, a Kentucky limited liability company and affiliate of Argus, its true and lawful attorney-in-fact and agent, with full power and authority to execute and deliver on behalf of Argus, all mining permit and related documentation required by the Department of Surface Mining Reclamation Enforcement of the Kentucky Department of Natural Resources, West Virginia Department of Environment Protection, the Army Corp. of Engineers, or any other state or federal agency in order to participate in mining activities in the Commonwealth of Kentucky or in the State of West Virginia.

This Power of Attorney shall be effective as of its date of execution and shall remain in effect until revoked in writing. No person acting in reliance upon this power shall be charged with notice of any revocation hereof in the absence of actual knowledge of such revocation.

It is Argus' intention to grant to its attorney-in-fact full and complete authority to act for it and in its stead in the specific matter above described. In no event shall persons relying on this Power of Attorney be required to ascertain the authority of Argus' attorney-in-fact to act hereunder, and all persons dealing with said attorney-in-fact shall be entitled, in the absence of actual knowledge of revocation, to rely upon the authority of such person, and the acts of such person shall bind Argus and acquit persons dealing with my said attorney-in-fact to the same extent as if Argus had been acting in its own behalf.

IN TESTIMONY WHEREOF, witness my signature this 25<sup>th</sup> day of March, 2010.

Argus Energy, LLC

By: James H. Booth  
James H. Booth, Member

STATE OF KENTUCKY        )  
  ) SCT.  
COUNTY OF MARTIN        )

The foregoing Limited Power of Attorney was subscribed, sworn to and acknowledged before me on this the 25<sup>th</sup> day of March, 2010, by James H. Booth, a Member of **Argus Energy, LLC**, a Kentucky limited liability company, for and on behalf of said company

My Commission Expires:  
10/19/2010

Craig Preece  
Notary Public, State at Large, Kentucky

THIS INSTRUMENT PREPARED BY:  
Neveca D. Bohman  
Argus Energy, LLC  
107 Dennis Drive  
Lexington, KY 40503

**CRAIG PREECE  
NOTARY PUBLIC  
STATE AT LARGE  
STATE OF KENTUCKY  
MY COMM. EXP. 10/19/2010**



**HUMBOLDT SCIENTIFIC, INC.**  
**RSO Certification**

*Michael E. White*

**HAS SUCCESSFULLY COMPLETED A CERTIFIED  
RADIATION SAFETY OFFICER COURSE**

Subjects included were:

*RSO Duties and Responsibilities*

*Radiation Safety Practices*

*Regulatory Requirements*

*Dose/Shielding Requirements*

*Accidents/Storage*

*Regulatory Guidance (NUREG-1556, Vol. 1)*

*Transportation/HAZMAT Requirements*

*Risk*

*ALARA*

*Radiation Measurement*

*Operating and Emergency Procedures*

*Calibration and Maintenance*

*Record Keeping*

*Eddie G. Hall*

Date of Training: **October 11, 2006**

Location: **Debord, KY**

Certificate Number: **6686**

HAZMAT Expiration Date: **October 11, 2009**

Instructor: **Eddie G. Hall**

**Humboldt Scientific, Inc.**

**551-D Pylon Drive**

**Raleigh, NC 27606**



**ACKNOWLEDGEMENT - RECEIPT OF CORRESPONDENCE**

**Name and Address of Applicant and/or Licensee**

Argus Energy WV, LLC  
ATTN: Don Sexton, Mgr., Q.A.  
9104 Twelve Pole Creek Road  
Dunlow, WB 25511

**Date**

October 26, 2017

**License Number(s)**

47-25543-01

**Mail Control Number(s)**

601480

**Licensing and/or Technical Reviewer or Branch**

Commercial, Industrial, R&D, & Academic Branch  
(Branch 2)

This is to acknowledge receipt of your:  Letter and/or  Application Dated: 10/13/2017

The initial processing, which included an administrative review, has been performed.

Amendment  Termination  New License  Renewal

There were no administrative omissions identified during our initial review.

This is to acknowledge receipt of your application for renewal of the material(s) license identified above. Your application is deemed timely filed, and accordingly, the license will not expire until final action has been taken by this office.

Your application for a new NRC license did not include your taxpayer identification number. Please complete and submit NRC Form 531, Request for Taxpayer Identification Number, located at the following link: <http://www.nrc.gov/reading-rm/doc-collections/forms/nrc531.pdf>  
Follow the instructions on the form for submission.

The following administrative omissions have been identified:

[Empty box for administrative omissions]

Your application has been assigned the above listed MAIL CONTROL NUMBER. When calling to inquire about this action, please refer to this control number. Your application has been forwarded to a technical reviewer. Please note that the technical review, which is normally completed within 180 days for a renewal application (90 days for all other requests), may identify additional omissions or require additional information. If you have any questions concerning the processing of your application, our contact information is listed below:

**Region I  
U. S. Nuclear Regulatory Commission  
Division of Nuclear Materials Safety  
2100 Renaissance Boulevard, Suite 100  
King of Prussia, PA 19406-2713  
(610) 337-5260, (610) 337-5313,  
(610) 337-5398, or (610) 337-5239**