



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
2100 RENAISSANCE BLVD.
KING OF PRUSSIA, PA 19406-2713

June 5, 2018

Rick Goodnight, Plant Superintendent
Brooks Run Mining Company, LLC
2691 Little Birch Road
Sutton, West Virginia 26601-6596

SUBJECT: BROOKS RUN MINING COMPANY, LLC, CONSENT TO TRANSFER LICENSE
AND RADIATION SAFETY OFFICER, MAIL CONTROL NO 602608

Dear Mr. Goodnight:

By letter dated March 5, 2018, (Agencywide Documents Access and Management System [ADAMS] Accession Number ML18078A145) Amfire Holdings and Amfire, LLC, the owners of Brooks Run Mining Company, requested the NRC's consent to an indirect transfer of control of the above license from Amfire Holding and Amfire, LLC to Pristine Clean Energy, LLC. As a part of the transfer of control, Brooks Run Mining Company, LLC requested a change in the radiation safety officer. Brooks Run Mining Company, LLC and Pristine Clean Energy, LLC completed this transaction without first requesting and obtaining the NRC's prior written approval. However, Amfire Holdings and Amfire, LLC is maintaining control of the license program until the Commission has reviewed and approved of the transfer.

From the above letter, we understand that this transfer did not result in a change associated with the materials, persons using licensed material, the locations, facilities, and equipment, nor the radiation safety program. We understand that the Radiation Safety Officer will change to Jeff Henderson.

Based on the above understandings, as more fully detailed in the enclosed NRC staff's Safety Evaluation Report, which documents the NRC staff's safety review of the request, the NRC consents to the transfer. The amendment to the license will be issued under a separate cover.

Future changes in the licensee's named, licensed use, licensed materials, licensed location, or persons responsible for licensed material require submission of a request to amend the license. NRC approval must be received prior to implementation of the proposed change, as it was with the action at issue here. If you have any questions regarding this letter, please contact Dennis Lawyer at 610-337-5366 or via electronic mail at dennis.lawyer@nrc.gov.

An environmental assessment for this action was not required, since this action is categorically excluded under 10 CFR 51.22(c)(21).

R. Goodnight

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In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web Site at: <http://www.nrc.gov/reading-rm/adams.html>.

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Lawyer", with a long horizontal flourish extending to the right.

Dennis Lawyer, Health Physicist
Commercial, Industrial, R&D
and Academic Branch
Division of Nuclear Materials Safety
Region I

Docket No. 03038704
License No. 47-25581-02
Mail Control No. 602608

Enclosure:
Safety Evaluation Report

cc: Jeff Henderson, Radiation Safety Officer

R. Goodnight

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Thank you for your cooperation.

Sincerely,

Dennis Lawyer, Health Physicist
Commercial, Industrial, R&D
and Academic Branch
Division of Nuclear Materials Safety
Region I

Docket No. 03038704
License No. 47-25581-02
Mail Control No. 602608

Enclosure:
Safety Evaluation Report

cc: Jeff Henderson, Radiation Safety Officer

DOCUMENT NAME: G:\WBL Documents\WBL License Cover Letter\L47-25581-02.602608.tr.docx

SUNSI Review Complete: DLawyer

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| OFFICE | RI:DNMS | N | OGC | N | R1:DNMS | N | | |
| NAME | DLawyer <i>DL</i> | | Irving NLO via email | | DLawyer <i>DL</i> | | | |
| DATE | 5/16/2018 <i>DL</i> | | 5/29/2018 | | 6/5/2018 <i>DL</i> | | | |

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