



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

February 11, 2019

James M. Doczi, Jr., President  
Bandmill Coal, LLC  
P.O. Box 1098  
Holden, WV 25625

SUBJECT: BANDMILL COAL, LLC, ACCEPTANCE OF NOTIFICATION OF INDIRECT  
TRANSFER OF CONTROL, MAIL CONTROL NO. 610225

Dear Mr. Doczi:

By the letter dated October 15, 2018, Agencywide Documents Access and Management System (ADAMS) Accession Number ML18292A781, Alpha Natural Resources Holdings Inc. (Holdings), requested written consent from the U.S. Nuclear Regulatory Commission (NRC) for a proposed indirect transfer of control concerning NRC License 47-35455-01, held by Bandmill Coal, LLC. Contura Energy, Inc. (Contura) and Holdings entered into an Agreement and Plan of Merger dated April 29, 2018, and Amended and Restated Merger Agreement dated September 27, 2018 (collectively, the "Merger Agreement"), whereby the parties have agreed that Contura will become the ultimate parent company of Holdings and its wholly-owned subsidiaries, including Bandmill Coal, LLC. Your email dated January 08, 2019, stated that the merger was completed on November 9, 2018. Thus, Holdings did not comply with NRC regulations and the Atomic Energy Act of 1954, as amended (AEA), as they did not receive the NRC's prior written approval for this transfer of control as required by 10 CFR 30.34(b) and Section 184 of the AEA.

Representatives from Bandmill Coal, LLC, Holdings, and Contura have been in constant contact with the NRC and provided information to the NRC showing that the transfer did not result in any change to activities under the license, the location of use, materials, persons using licensed material, or persons responsible for radiation safety at the licensed facility. We further understand that there was no name change to the licensee beyond the indirect transfer of control.

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

Based on the above understandings, as more fully detailed in the enclosed NRC staff Safety Evaluation Report, which documents the NRC staff's safety review of the request, the NRC consents to the transfer. No change in the current license is necessary as a result of this transfer. However, any future changes in the licensee's name, 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 any such proposed change. If you have any questions regarding this letter, please contact James Cassata at (610) 337-5303 or via electronic mail at [james.cassata@nrc.gov](mailto:james.cassata@nrc.gov).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosures 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 in this matter.

Sincerely,



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

License No. 47-35455-01  
Docket No. 03039078  
Mail Control No. 610225

cc: Scott J. Burdette, Radiation Safety Officer

Enclosure:  
Safety Evaluation Report

**BANDMILL COAL, LLC, ACCEPTANCE OF NOTIFICATION OF INDIRECT TRANSFER OF CONTROL, MAIL CONTROL NO. 610225 DATED FEBRUARY 11, 2019.**

DOCUMENT NAME: G:\WBL Documents\WBL License Cover Letter\L47-35455-01.610225CoC.docx

**SUNSI Review Complete: JCassata**

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DATE	02/11/2019		01/31/2019 by email				

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