



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

January 17, 2020

Michael R. Castle, Chief Financial Officer
Mid-Vol Coal Sales, Inc.
640 Clover Dew Dairy Road
Princeton, West Virginia 24740

SUBJECT: MID-VOL COAL SALES, INC.- CONSENT TO TRANSFER LICENSE, MAIL
CONTROL NO. 615335

Dear Mr. Castle:

By letter dated August 21, 2019, Agencywide Documents Access and Management System (ADAMS) Accession Number ML19262F691, ArcelorMittal USA Holdings, II, LLC requested the NRC's consent to an indirect transfer of control of NRC Materials License number 47-31035-01 from Mid-Vol Coal Sales, Inc. to ArcelorMittal USA Holdings, II, LLC. Previously, control of the NRC Materials License was transferred from Mr. Richard G. Preservati and Ritchie Equipment, Inc. to ArcelorMittal Mid Vol Group, Inc. and ArcelorMittal Mining Equipment, respectively, on June 20, 2008 (ML19262F694); ArcelorMittal Concept Holdings, LLC then acquired ArcelorMittal Mid Vol Group, Inc. from its parent company, ArcelorMittal USA, Inc. on September 30, 2008 (ML19317D975); ArcelorMittal Concept Holdings LLC changed its name to ArcelorMittal Coal Group USA LLC also on September 30, 2008 (ML19346D904); and finally ArcelorMittal Coal Group USA LLC merged with ArcelorMittal USA Holdings II LLC under the name ArcelorMittal USA Holdings II LLC in an agreement dated December 22, 2014, which became effective January 1, 2015 (ML19317D976). Each of these transactions occurred without prior NRC approval of the transfers of control. Thus, this was a request for post-hoc approval to transfer control of the license. Each of these parties did not comply with NRC regulations as they did not receive the Commission's prior written approval for this transfer of control as required by 10 CFR 30.34(b) and Section 184 of the Atomic Energy Act of 1954, as amended. This action was dispositioned separately under inspection report number 2019001 and its accompanying Notice of Violation.

From the above letters, 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.

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.

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 the proposed change. If you have any questions regarding this letter, please contact Jonathan Pfungsten at 610-337-5170 or via electronic mail at Jonathan.Pfungsten@nrc.gov.

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

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 in this matter.

Sincerely,

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

License No. 47-31035-01
Docket No. 030-36910
Mail Control No. 615335

cc: Kim Reed, Radiation Safety Officer

Enclosure:
Safety Evaluation Report

MID-VOL COAL SALES, INC.- CONSENT TO TRANSFER LICENSE, MAIL CONTROL NO. 615335 DATED JANUARY 17, 2020

DOCUMENT NAME: G:\WBL Documents\WBL License Cover Letter\L47-31035-01.615335.AcceptLicenseTransferPublic.docx
SUNSI Review Complete: Jonathan Pfingsten

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