

From: [Ullrich, Betsy](#)
To: larry.adams@boothenergy.com; TPotter@archcoal.com
Subject: RE: your letter dated March 8, 2021 for transfer of your NRC license
Date: Wednesday, August 18, 2021 5:57:00 AM
Importance: High

Mr. Adams and Mr. Potter,

I have not yet received any response to this request. I spoke with Mr. Adams on July 19, who assured me that he would contact Mr. Potter to work together to provide the information needed. However, it is now 30 days later and I still do not have the required information. The NRC cannot proceed with the review of the change of control without this information.

As you know, the NRC requires review and approval prior to the change occurring, so we will be pursuing enforcement because this change occurred prior to our approval. If you have any questions about this issue, please contact me.

Thank you for your attention in this matter.

Betsy Ullrich, Senior Health Physicist
USNRC Region I
2100 Renaissance Boulevard, Suite 100
King of Prussia, PA 19406
610-337-5040 (office)
240-704-4575 (cell)
Elizabeth.ullrich@nrc.gov

From: Ullrich, Betsy
Sent: Wednesday, June 09, 2021 9:56 AM
To: larry.adams@boothenergy.com; TPotter@archcoal.com
Subject: your letter dated March 8, 2021 for transfer of your NRC license

Mr. Adams and Mr. Potter,

I am reviewing the letter dated March 8, 2021, notifying us of a change of control for licensed materials from Southeastern Land, LLC to Coal-Mac LLC. In order to complete the review, I will need additional information.

1. Please provide the information requested in Appendix E of NUREG-1556, Volume 15, Guidance about changes of Control and About Bankruptcy involving byproduct, source or Special Nuclear Materials Licenses, Revision 1" (NUREG-1556 vol 15, Rev 1). A link to that guidance is <https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v15/index.html> . In particular, I need the information requested on page E-1 Items 1, 2, and 3.

2. Confirm if this is applicable only to License No. 16-35383-02, or if License No. 16-35383-01 also is involved.
3. Provide a license number for the Coal-Mac entity that is taking control of the Southeastern -01 license. I am aware of the NRC License No. 47-25599-01, but it is possible that Coal-Mac holds a license in an Agreement State.
4. The gauges that are possessed under a general license require a separate notification. Allowed transfers are described in 10 CFR 31.5(c)(8). It appears to me that this transfer is allowed under 31.5(c)(8)(i), and meets the description in 31.5(c)(9)(i) which requires the transfer to be reported as described there. You should review the regulation to be sure that you report the transfer that actually occurred. A link to the regulation is <https://www.nrc.gov/reading-rm/doc-collections/cfr/part031/part031-0005.html> . Confirm that you will provide the notification of the transfer of the gauges possessed under a general license as directed in Part 31.

Please contact me if you have any additional questions. Thank you for your time.

Betsy Ullrich, Senior Health Physicist
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King of Prussia, PA 19406
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