



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

February 9, 2012

Docket No. 03004525
Control No. 576888

License No. 19-00373-02

Martin Schneider
Manager, EHS Programs
NewPage Corporation
Luke Paper Company
8540 Grandeur Creek Drive
Miamisburg, OH 45342

SUBJECT: NEWPAGE CORPORATION, ACCEPTANCE OF NOTIFICATION OF FILING
FOR BANKRUPTCY, CONTROL NO. 576888

Dear Mr. Schneider:

This is in reference to your letter dated February 7, 2012, notifying the NRC that on September 7, 2011, NewPage Corporation filed for bankruptcy under Chapter 11 of the U.S. Bankruptcy Code. A subsidiary of NewPage Corporation, Luke Paper Company maintains the above listed NRC license for use of radioactive materials at its facilities located in Beryl, West Virginia. Luke Paper Company may also have acquired licensed material under the general license in 10 CFR 31.5(a). From your telephone discussion of February 7, 2012, with Sattar Lodhi of this office, it is my understanding that this filing has not affected the conduct of licensed activities of Luke Paper Company, and that all licensed material remains secured.

Please note that NRC regulations in 10 CFR 30.34(h)(1) require that licensees that are the subject of a bankruptcy filing, immediately notify the NRC, in writing of the filing. The purpose of the regulations is to ensure that public health and safety is adequately protected, and all licensed material is properly controlled. Your letter is accepted as the required notification.

Please be reminded that even though NewPage Corporation is involved in bankruptcy proceedings, the above NRC license continues to remain in full effect even beyond its stated expiration date, until terminated in writing by the NRC. If the licensee no longer exists as an entity, the person with legal control of licensed material, contaminated equipment or property transferred by the licensee, is obligated to control all licensed material and to decontaminate and decommission the facilities or equipment, and to comply with applicable NRC requirements.

The bankruptcy filing does not relieve NewPage Corporation or Luke Paper Company of its responsibilities to comply with NRC requirements, including those relating to security and control of licensed material; decontamination and decommissioning of contaminated facilities, and retention of personnel required by the license conditions. You may not transfer control of the license without prior written approval of NRC, and you may not transfer licensed material except as authorized by the NRC regulations.

You should ensure that your attorney and any trustee involved in the bankruptcy proceedings are aware of these obligations and the related NRC requirements. Pursuant to Section 184 of the Atomic Energy Act, a reorganized entity emerging from Chapter 11 bankruptcy is required to receive written approval of NRC prior to its assumption of control over licensed activities.

Please notify this office immediately, in writing if you are unable to meet any of these requirements/conditions. Also please notify this office: (1) of any changes to your licensed activities that the bankruptcy court may require, (2) when the bankruptcy proceeding is completed, and (3) when NewPage Corporation emerges out of bankruptcy.

Because the regulations cited above require each licensee to provide the required notification, we request your assistance in providing to us the names, addresses and telephone numbers of any other entities who may be affected by the bankruptcy (i.e. other daughter companies/subsidiaries of NewPage Corporation, where such entity has an NRC or Agreement State license).

We will continue to monitor your activities to ensure that all licensed material remains secure from unauthorized access/removal, and is being used in full compliance with all applicable requirements.

Your cooperation is appreciated.

Sincerely,

Original signed by Blake D. Welling

Blake D. Welling, Chief
Materials Security and Industrial Branch
Division of Nuclear Materials Safety

cc:

William Marley, Radiation Safety Officer
State of Maryland

State of Ohio

David D. Bird, U.S. Bankruptcy Court, District of Delaware

M. Schneider

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NAME	SLodhi/SL		BWelling					
DATE	02/02/2012							

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