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**CONSOL Energy Inc.**

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Canonsburg, PA 15317-6506

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**MICHAEL A. SINOZICH**

Director Safety and Compliance

December 27, 2013

U.S. N.R.C. Region 1  
2100 Renaissance Blvd.  
King of Prussia, PA 199406-2713

Dear Sir or Madam:

Please find attached signed letters for change in licenses for the entities once owned by CONSOL Energy Inc. and now by Murray Energy Corporation.

For your records, Zach Richards is no longer with CONSOL. Please address all correspondence to me. I've included business cards for me and Paul Borchick for contacts.

If you have any questions, please call.

Respectfully Submitted,

Michael A. Sinozich

582836/582837/582838  
NMSS/RGNI MATERIALS-002

November 21, 2013

APPLICATION PURSUANT TO 10 CFR § 30.34(b) AND NUREG 1556, Vol. 15, FOR  
COMMISSION CONSENT TO TRANSFER SPECIFIC "PART 30" MATERIALS LICENSES

CONSOL Energy Inc. ("CONSOL") and Murray Energy Corporation ("Murray") hereby request the Commission to consent to the transfer of the following specific Part 30 materials licenses to the subsidiary(s) named below of Murray Energy Corporation ("Murray"). CONSOL makes this request on behalf of the current licensees, all of which are CONSOL subsidiaries and have authorized CONSOL to make this application on their behalf. Murray makes this application on behalf of its subsidiary(s), the Marshall County Coal Company, The Ohio County Coal Company and the Robinson Run Coal Company (collectively, the "Murray Transferees"), which are the proposed transferee(s) of the licenses addressed in this application and has authorized Murray to make this application on its/their behalf.

Licenses to be transferred:

Current licensee	Location of licensed nuclear material	License number
McElroy Coal Company	McElroy Preparation Plant West Virginia State Rt. 2, Moundsville, W. Va. 26041	47-31442-01
Consolidation Coal Company	Shoemaker Mine Preparation Plant State Rt. 2, 4 <sup>th</sup> Street Exit Benwood, W. Va. 26031	47-31367-01
Consolidation Coal Company	Robinson Run Mine Preparation Plant Prospect Valley Road Shinnston, W. Va. 26431	37-30938-01

In support of this application, and pursuant to 10 CFR § 30.34(b) and NUREG 1556, Vol. 5, CONSOL and Murray set forth the following information:

1. Description of the Transaction (NUREG 1556, Vol. 15, Section 5.1).

Description. On October 28, 2013, CONSOL announced it has entered into an agreement to sell its Consolidation Coal Company subsidiary ("CCC"), which contains all five of its longwall coal mines in West Virginia, as well as other assets, to Murray Energy Corporation and various of its subsidiaries, including the Murray Transferees. The transaction, which is expected to close by year-end 2013, will include the transfer to one of the Murray Transferees of one of the three "preparation plants" identified above. As indicated in the table above, the nuclear material covered by the licenses that are the subject of this transfer application is located at those plants.

New Licensee Name. The licenses identified above and addressed in this application will be transferred to the respective Murray Transferees set forth below:

License Number	Transferee
47-31442-01	The Marshall County Coal Company
47-31367-01	The Ohio County Coal Company
37-30938-01	The Robinson Run Coal Company

New Licensee Contacts. The transaction will not result in a change of the individual contacts for License No. 47-31367-01 and License No. 37-30938-01, who are named in each respective license, but will result in a change of the individual contact for License No. 47-31442-01. The individual contacts for each license after transfer are:

License No. 47-31442-01: Eric Barto (New), phone: 740-238-2201.

License No. 47-31367-01: Tom Crawshaw (No Change), phone: 304-233-9126

License No. 37-30938-01: Edwin F. Bodkin (No Change), phone: 304-592-2815

2. Changes of Personnel (NUREG 1556, Vol. 15, Section 5.2)

The transaction will not result in any changes in relevant personnel such as the Radiation Safety Officers, authorized users, or any other persons identified on the licenses or in the license applications as having responsibility for radiation safety or authorized to use licensed materials, except for the change in the individual contact for License No. 47-31442-01 as set forth above.

3. Changes of Location, Equipment & Procedures (NUREG 1556, Vol. 15, Section 5.3).

The transaction will not result in any change in the transferee licensees' locations of use, facility description, equipment or procedures (i.e., changes in operating or emergency procedures) that would normally require a license amendment. Nor will the transaction add any place of use of the licensed materials.

4. Surveillance Records (NUREG 1556, Vol. 15, Section 5.4).

All required surveillance records are maintained at the plant locations identified above for each respective license, and will be transferred to the respective Murray Transferees in the transaction. CONSOL as the current licensee has reviewed all pertinent surveillance records and determined that they are current in that all required surveillance has been performed and documented, and CONSOL will ensure that the surveillance records will be current at the time of transfer

5. Decommissioning and Related Records Transfers (NUREG 1556, Vol. 15, Section 5.5). All required records important to safe and effective decommissioning including leak testing records are maintained at the plant locations identified above for each respective license, and will be transferred to the respective Murray Transferees in the transaction (at the time of closing). There is no known contamination at any of those plant locations.

Each Murray Transferee hereby commits to maintain the decommissioning and leak testing records referred to above, and is knowledgeable regarding applicable decommissioning requirements. Each Murray transferee also hereby confirms that it accepts full responsibility for the decommissioning of the three plants identified above, including any contaminated facilities and equipment.

6. Transferees' Commitment to Abide by the Transferor's Commitments (NUREG 1556, Vol. 15, Section 5.6) Murray and each of the Murray Transferees hereby commit to abide by all constraints, license conditions, requirements, representations, and commitments identified in and attributed to the existing licenses identified above.

There are no open inspection or enforcement issues that need to be addressed prior to transfer of these licenses.

Respectfully submitted,

CONSOL Energy Inc. for the Transferors

By: 

Stephen W. Johnson

Executive Vice President and Chief Legal and Corporate Affairs Officer

Date: 12-5-13

Murray Energy Corporation

By: 

Date: 12-5-13

The Marshall County Coal Company, as Transferee of License No. 47-31442-01

By: 

Date: 12-5-13

The Ohio County Coal Company, as Transferee of License No. 47-31367-01

By: 

Date: 12-5-13

~~CONSOLIDATION COAL COMPANY~~

The Robinson Run Coal Company, as Transferee of License No. 37-30938-01

By: 

Date: 12-5-13

November 21, 2013

APPLICATION FOR CONSENT BY THE PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION TO TRANSFER SPECIFIC  
NUCLEAR MATERIALS LICENSE

CONSOL Energy Inc. ("CONSOL") and Murray Energy Corporation ("Murray") hereby request the Pennsylvania Department of Environmental Protection ("PA DEP") to consent to the transfer of the following specific nuclear materials license to Murray Keystone Processing, Inc., a subsidiary of Murray Energy Corporation ("Murray"). CONSOL makes this request on behalf of the current licensee, which is a CONSOL subsidiary and has authorized CONSOL to make this application on its behalf. Murray makes this application on behalf of its subsidiary Murray Keystone Processing, Inc. which is the proposed transferee and has authorized Murray to make this application on its/their behalf.

License to be transferred:

Current licensee	Location of licensed nuclear material	License number
Keystone Coal Mining Corporation	Keystone Cleaning Plant T-720 Cleaning Plant Road, Shelocta, Pa. 15774	PA- 1218

In support of this application, and pursuant to the requirements of 10 CFR § 30.34(b) and NUREG 1556, Vol. 5, which PA DEP has adopted, CONSOL and Murray set forth the following information:

1. Description of the Transaction (NUREG 1556, Vol. 15, Section 5.1).

Description. On October 28, 2013, CONSOL announced it has entered into an agreement to sell its Consolidation Coal Company subsidiary ("CCC"), which contains all five of its longwall coal mines in West Virginia, as well as other assets, to Murray and various Murray subsidiaries, including Murray Keystone Processing, Inc., a subsidiary of Murray. The

transaction, which is expected to close by year-end 2013, will include the transfer to Murray Keystone Processing, Inc., of the Keystone Cleaning Plant identified above. The nuclear material covered by the license that is the subject of this transfer application is located at that plant.

New (Transferee) Licensee Name. Murray Keystone Processing, Inc.

New Licensee Contacts. The transaction will not result in a change of the individual contact for the license being transferred. As set forth in the license, that individual is Robert Stadtmiller, phone: (724) 354-3971

2. Changes of Personnel (NUREG 1556, Vol. 15, Section 5.2)

The transaction will not result in any changes in relevant personnel such as the Radiation Safety Officers, authorized users, or any other persons identified on the licenses or in the license applications as having responsibility for radiation safety or authorized to use licensed materials.

3. Changes of Location, Equipment & Procedures (NUREG 1556, Vol. 15, Section 5.3).

The transaction will not result in any change in the transferee licensee's locations of use, facility description, equipment or procedures (i.e., changes in operating or emergency procedures) that would normally require a license amendment. Nor will the transaction add any place of use of the licensed materials.

4. Surveillance Records (NUREG 1556, Vol. 15, Section 5.4).

All required surveillance records are maintained at the plant location identified above for the license being transferred, and will be transferred to Murray Keystone Processing, Inc. in the transaction. CONSOL as the current licensee has reviewed all pertinent surveillance records and determined that they are current in that all required surveillance has been performed and



documented, and CONSOL will ensure that the surveillance records will be current at the time of transfer

5. Decommissioning and Related Records Transfers (NUREG 1556, Vol. 15, Section 5.5). All required records important to safe and effective decommissioning including leak testing records are maintained at the plant location identified above for the license, and will be transferred to Murray Keystone Processing, Inc. in the transaction (at the time of closing). There is no known contamination at this plant.

Murray Keystone Processing, Inc. as the transferee hereby commits to maintain the decommissioning and leak testing records referred to above, and is knowledgeable regarding applicable decommissioning requirements. Murray Keystone Processing, Inc. also hereby confirms that it accepts full responsibility for the decommissioning of the plant identified above, including any contaminated facilities and equipment.

6. Transferee's Commitment to Abide by the Transferor's Commitments (NUREG 1556, Vol. 15, Section 5.6). Murray and Murray Keystone Processing, Inc. hereby commit to abide by all constraints, license conditions, requirements, representations, and commitments identified in and attributed to the existing license identified above.

There are no open inspection or enforcement issues that need to be addressed prior to transfer of this license.

Respectfully submitted,

CONSOL Energy Inc., for the Transferor

By: 

Stephen W. Johnson

Executive Vice President and Chief Legal and Corporate Affairs Officer

Date: 12-5-13

Murray Energy Corporation

By: 

Date: 12-5-13

Murray Keystone Processing, Inc., as Transferee

By: 

Date: 12-5-13



**Applied HEALTH PHYSICS, Inc.**

## **CERTIFICATE OF RADIOLOGICAL TRAINING**

*This is to certify that*

**Eric Barto**

*has successfully completed the*

**24-HOUR RADIATION SAFETY OFFICER TRAINING COURSE  
INCLUDING INSTRUCTION AS REQUIRED BY NUREG-1556  
VOLUME 4, APPENDIX G AND 49 CFR 172, SUBPART H**

*presented by Applied Health Physics, Inc.*

*March 4<sup>th</sup> through March 6<sup>th</sup>, 2013*

  
\_\_\_\_\_  
Todd Y. Mobley  
Director, Technical Services

March 6, 2013  
\_\_\_\_\_  
Date  
March 6, 2016  
\_\_\_\_\_  
DOT Subpart H Expiration Date

This is to acknowledge the receipt of your letter/application dated

12/27/2013, and to inform you that the initial processing which includes an administrative review has been performed.

47-31442-01 37-30938-01 notifications  
47-31367-01  
☒ There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

☐ Please provide to this office within 30 days of your receipt of this card

A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned Mail Control Number 582836  
582837 582838  
When calling to inquire about this action, please refer to this control number.  
You may call us on (610) 337-5398, or 337-5260.