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REC'D 1012414M1019

January 23, 2014

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

47-31442-01
03038453

47-31367-01
03038027

37-30938-01
03036636

Dear Sir/Madam:

You previously received letters from Michael Sinozich at CONSOL Energy. We have made additional changes to the New Licensee Name, New Licensee Contacts, Change of Personnel, and their contact information where noted.

Please address all correspondence to Eric Barto and Jerame Schwing of Murray Energy Corporation. I've included their contact information.

Thank you for your attention to this matter.

Sincerely,

MURRAY AMERICAN ENERGY, INC.



Jason D. Witt
Secretary

Enclosures:

cc: Jerame Schwing
Eric Barto

January 23, 2014

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

Murray Energy Corporation ("Murray") hereby requests 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"). Murray makes this application on behalf of its subsidiaries, The Marshall County Coal Company, The Ohio County Coal Company and The Harrison County 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 th Street Exit | 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. Murray sets forth the following information:

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

Description. On October 28, 2013, CONSOL Energy, Inc. announced it had 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 closed December 5, 2013, and includes 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 Harrison County Coal Company |

New Licensee Contacts. The transaction will result in a change of the individual contacts for License No. 47-31367-01, License No. 37-30938-01, License No. 47-31442-01. The individual contacts for each license after transfer are:

License No. 47-31442-01: Jason Weese (New), phone: 304-843-3783

License No. 47-31367-01: Brent Hutcheson (New), phone: 304-233-9374

License No. 37-30938-01: Leonard Roman (New), phone: 304-592-2822

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

The transaction will result 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. The changes in the individual contacts are for License No. 47-31442-01, 47-31367-01, and 37-30938-01 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,

MURRAY AMERICAN ENERGY, INC.



Jason D. Witt

Secretary

Jerame Schwing

Environmental Coordinator

Murray Energy Corporation

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