



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PA 19406-2713

September 3, 2014

Docket No. 03038751
Control No. 584241

License No. 47-25363-02

Charles I. Bearse, III
President
Elk Run Coal Company, Inc.
P. O. Box 457
Whitesville, WV 25209

SUBJECT: ELK RUN COAL COMPANY, INC., NEW LICENSE, CONTROL NO. 584241

Dear Mr. Bearse:

This refers to your letter and application dated June 12, 2014, for an NRC license. Enclosed with this letter is the license. From your letter it is my understanding that Elk Run Coal Company has assumed full responsibility of the facilities located at 796 Hilliard Street, Sylvester. This facility was previously listed as an authorized location of use on NRC License No. 47-30927-01. Based on my understanding this facility is included in your license. Therefore, this license is being issued concurrent with issuance of Amendment No. 07 of NRC License No. 47-30927-01.

You have indicated that you plan to transfer your general licensed devices to your specific license. You must notify the NRC within 30 days of the transfer, as specified in 10 CFR 31.5(c)(8)(ii). You should also notify the vendor(s) of the device(s) of such transfer.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5239, so that we can provide appropriate corrections and answers.

NRC policy requires that all correspondence related to a license be signed by a member of the licensee's senior management rather than the Radiation Safety Office (RSO) or a consultant. The NRC views a letter signed by a management representative as indication that management has reviewed the application and concurs in the statements and representations contained therein. You have delegated your signature authority to Paul R. Thompson, Jr., who is listed as the RSO on your license. He may sign the correspondence with us as representative of your management.

The NRC is required to have your Taxpayer Identification Number in order to make payments (refunds). Please complete the enclosed NRC Form 531, "Request for Taxpayer Identification Number" and mail to the address at the bottom of the form (Note 5).

The NRC expects licensees to conduct their programs with meticulous attention to detail and

high standards of safety and compliance. Serious consequences to employees and the public can result from failure to comply with NRC requirements, therefore you must conduct your program according to NRC regulations, the conditions of your NRC license, and the representations made in your application.

You will be periodically inspected by the NRC. Failure to conduct your program safely and in accordance with NRC regulations, license conditions, and the representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, imposition of a civil penalty, or an order suspending, modifying or revoking your license.

An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14).

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Licensee Toolkits, see our toolkit index page**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

Thank you for your cooperation.

Sincerely,

Original signed by Sattar Lodhi

Sattar Lodhi, Ph.D.
Senior Health Physicist
Commercial, Industrial, R&D and Academic
Branch
Division of Nuclear Materials Safety

Enclosures:

1. NRC Form 531
2. License No. 47-25363-02

cc:

Paul R. Thompson, Jr., Radiation Safety Officer
William G. Newsome, Process Controls Manager/Corporate Radiation Safety Officer
Steven R. Poe, President

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SUNSI Review Complete: Sattar Lodhi

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