



**UNITED STATES**  
**NUCLEAR REGULATORY COMMISSION**  
REGION I  
2100 RENAISSANCE BLVD.  
KING OF PRUSSIA, PA 19406-2713

November 15, 2016

Larry D. Adams, P.E.  
Attorney in Fact  
Southeastern Land, LLC  
P.O. Box 190  
Lovely, Kentucky 41231

SUBJECT: SOUTHEASTERN LAND, LLC, NEW LICENSE, MAIL CONTROL NO. 592134

Dear Mr. Adams:

This refers to your request for a transfer of control of NRC License No. 37-35255-01 issued to Fola Coal Company, LLC, dated July 29, 2016, Agencywide Documents Access and Management System Accession No. ML16235A395. In order to issue the license to Southeastern Land, LLC, at the Kentucky address above, our process required that we issue a new license. Enclosed with this letter is your NRC License No. 16-35383-01. Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please contact me at 6101-337-5136 or via electronic mail at [scott.wilson@nrc.gov](mailto:scott.wilson@nrc.gov) so that appropriate corrections or answers can be provided.

An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(21).

Please be advised that your license expires at the end of the day in the month and year stated in the license. Until your license has been terminated, you must conduct your program in accordance with the conditions of your license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspections and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify the NRC in writing 30 days in advance of any change in mailing address.
3. In accordance with 10 CFR 30.36(d), notify the NRC promptly, in writing, within 60 days and request termination of the license:
  - a. When you decide to terminate all activities involving materials authorized under the license;
  - b. If you decide not to acquire or possess and use authorized material; or
  - c. When no principal activities under the license have been conducted for a period of 24 months.

4. Request and obtain a license amendment before you:
  - a. Change Radiation Safety Officers;
  - b. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;
  - c. Add or change the areas of use or address or addresses of use identified in the license application or on the license (except for areas of use where byproduct material is used only in accordance with either 10 CFR 35.100 or 35.200); or
  - d. Change the name or ownership of your organization.
5. Submit a complete renewal application or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 60 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations.

When submitting future license amendments, please have the document signed by a management representative rather than the Radiation Safety Officer. 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. In addition, please note that NRC Form 313 requires the applicant, by signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or a certifying official of the licensee rather than a consultant.

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(s) 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 as specified in the NRC Enforcement Policy. The NRC Enforcement Policy is available at: <http://www.nrc.gov/reading-rm/doc-collections/enforcement/>.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's expectations for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web Site at: <http://www.nrc.gov/about-nrc/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

An electronic version of the NRC's regulations is available on the NRC Web Site at: [www.nrc.gov](http://www.nrc.gov). Additional information regarding use of radioactive materials may be obtained on the NRC Web Site at: <http://www.nrc.gov/materials/miau/mat-toolkits.html>. This site also provides the link to the toolbox for updated information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

Current NRC regulations and guidance are included on the NRC Web Site at [www.nrc.gov](http://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).

Please be aware that, as a holder of an NRC license, you may be subject to the NRC's licensing annual fee in accordance with 10 CFR Part 171. If you have any questions concerning the fee requirements, please contact the License Fee and Accounts Receivable Branch at (301) 415-7544.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosures will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web Site at: <http://www.nrc.gov/reading-rm/adams.html>.

Thank you for your cooperation.

Sincerely,

**/RA James Cassata for/**

Scott Wilson, Health Physicist  
Commercial, Industrial, R&D  
and Academic Branch  
Division of Nuclear Materials Safety  
Region I

License No. 16-35383-01  
Docket No. 03039002  
Mail Control No. 592134

Enclosures:

1. License No. 16-35383-01
2. NRC Form 531

cc: James Booth, President, Southeastern Land, LLC  
Marvin E. Daniels, Radiation Safety Officer

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Sincerely,

**/RA James Cassata for/**

Scott Wilson, Health Physicist  
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cc: James Booth, President, Southeastern Land, LLC  
Marvin E. Daniels, Radiation Safety Officer

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SUNSI Review Complete: SWilson

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