

Southeastern Land, LLC

P.O. Box 190
Lovely, KY 41231

Br. 2

October 13, 2017

U.S. Nuclear Regulatory Commission
Materials Security and Industrial Branch
Region I
2100 Renaissance Blvd.
King of Prussia, PA 19406-2713

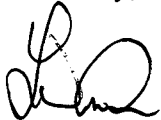
RE: Southeastern Land, LLC
Miller Creek Operations
U.S. NRC License #16-35383-02 ✓ *103039003*
License Amendment – Change of RSO

To whom it may concern:

This letter serves to notify the NRC of a change in Radiation Safety Officer (RSO) under License #16-35383-02. Duffy Ferrell has been named RSO, replacing the former RSO Marvin E. Daniels. Please find attached, an executed RSO Delegation of Authority Memorandum and documentation of Mr. Ferrell's training.

Feel free to contact me directly at (606) 298-2340 or larry.a@czarky.net should you have any questions or comments concerning this matter.

Sincerely,



Larry D. Adams, P.E.

Vice President – Permitting and Environmental Affairs
Booth Energy

601479
INCOGNITO MATERIALS-002

REC'D 10/24/17 4:07:02

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that **Southeastern Land, LLC** ("**Southeastern**"), a Kentucky limited liability company, hereby constitutes and appoints **Larry D. Adams**, an employee of Matrix Energy, LLC, a Kentucky limited liability company and affiliate of Southeastern, its true and lawful attorney-in-fact and agent, with full power and authority to execute and deliver on behalf of Southeastern, all mining permit and related documentation required by the West Virginia Department of Environment Protection, or any other state or federal agency in order to participate in mining activities in State of West Virginia.

This Power of Attorney shall be effective as of its date of execution and shall remain in effect until revoked in writing. No person acting in reliance upon this power shall be charged with notice of any revocation hereof in the absence of actual knowledge of such revocation.

It is Southeastern's intention to grant to its attorney-in-fact full and complete authority to act for it and in its stead in the specific matter above described. In no event shall persons relying on this Power of Attorney be required to ascertain the authority of Southeastern's attorney-in-fact to act hereunder, and all persons dealing with said attorney-in-fact shall be entitled, in the absence of actual knowledge of revocation, to rely upon the authority of such person, and the acts of such person shall bind Southeastern and acquit persons dealing with my said attorney-in-fact to the same extent as if Southeastern had been acting in its own behalf.

IN TESTIMONY WHEREOF, witness my signature this 1st day of July, 2016

Southeastern Land, LLC

By: James H. Booth
James H. Booth, President

STATE OF KENTUCKY)
) SCT.
COUNTY OF MARTIN)

The foregoing Limited Power of Attorney was subscribed, sworn to and acknowledged before me on this the 1st day of July, 2016, by James H. Booth, President of **Southeastern Land, LLC**, a Kentucky limited liability company, for and on behalf of said company.

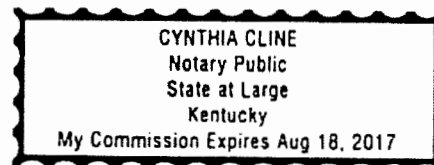
My Commission Expires:

08-18-2017

Cynthia Cline
Notary Public, State at Large, Kentucky

THIS INSTRUMENT PREPARED BY:

Tiffany J. Fannin
Legal Department
2408 Sir Barton Way, Suite 325
Lexington, KY 40509





81 Enterprise Drive
Debord, Kentucky 41214
(606) 298-2300

MEMORANDUM

To: Duffy Ferrell, Radiation Safety Officer
Southeastern Land, LLC

From: Paul B. Horn, President / Chief Operating Officer
Booth Energy

Date: October 12, 2017

Subject: Delegation of Authority

You have been appointed Radiation Safety Officer and are now responsible for ensuring the safe use of radioactive materials as used under the Nuclear Regulatory Commission License. As provided for in the license, you are responsible for managing the radiation protection program; identifying radiation protection problems; initiating, recommending, and/or providing corrective action(s); verifying implementation of any such corrective action(s); stopping unsafe activities and practices; and ensuring compliance with all regulations.

You are hereby delegated the authority necessary to meet those responsibilities, including prohibiting the use of radioactive materials by employees who do not meet the necessary requirements and shutting down operations where justified by radiation safety. You are required to notify management of situations where staff is not cooperating and addressing radiation safety issues. In addition, you are free to raise issues directly with the Nuclear Regulatory Commission at any time.

A handwritten signature in cursive script, reading "Paul B. Horn".

Paul B. Horn, President / Chief Operating Officer
Booth Energy

I accept the above responsibilities.

A handwritten signature in cursive script, reading "Duffy Ferrell".

Duffy Ferrell, Radiation Safety Officer
Southeastern Land, LLC

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that **Southeastern Land, LLC** ("**Southeastern**"), a Kentucky limited liability company, hereby constitutes and appoints **Paul B. Horn**, an employee of Matrix Energy, LLC, a Kentucky limited liability company and affiliate of Southeastern, its true and lawful attorney-in-fact and agent, with full power and authority to execute and deliver on behalf of Southeastern, all mining permit and related documentation required by the West Virginia Department of Environment Protection, or any other state or federal agency in order to participate in mining activities in State of West Virginia.

This Power of Attorney shall be effective as of its date of execution and shall remain in effect until revoked in writing. No person acting in reliance upon this power shall be charged with notice of any revocation hereof in the absence of actual knowledge of such revocation.

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IN TESTIMONY WHEREOF, witness my signature this 1st day of July, 2016

Southeastern Land, LLC

By: James H. Booth
James H. Booth, President

STATE OF KENTUCKY)
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COUNTY OF MARTIN)

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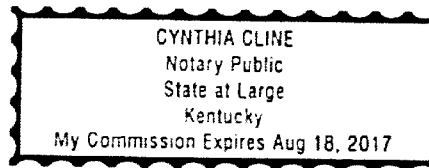
My Commission Expires:

08-18-2017

Cynthia Cline
Notary Public, State at Large, Kentucky

THIS INSTRUMENT PREPARED BY:

Tiffany J. Fannin
cyndLegal Department
2408 Sir Barton Way, Suite 325
Lexington, KY 40509





CERTIFICATE OF RADIOLOGICAL TRAINING

This is to certify that

Duffy Ferrell

has successfully completed the

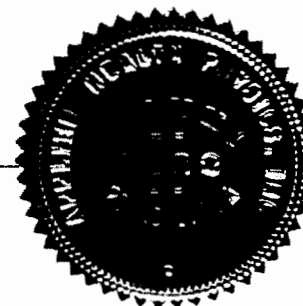
***24-HOUR RADIATION SAFETY OFFICER TRAINING
COURSE AND INSTRUCTION AS REQUIRED BY
NUREG-1556, VOLUME 4, APPENDIX G***

presented by Applied Health Physics, Inc.

May 4th through May 6th, 2009

Todd Y. Mobley
Director, Technical Services

Date May 6, 2009





ACKNOWLEDGEMENT - RECEIPT OF CORRESPONDENCE

Name and Address of Applicant and/or Licensee

Southeastern Land, LLC
ATTN: James Booth, President
P. O. Box 190
Route 292
Lovely, KY 41231

Date

October 26, 2017

License Number(s)

16-35383-02

Mail Control Number(s)

601479

Licensing and/or Technical Reviewer or Branch

Commercial, Industrial, R&D, & Academic Branch
(Branch 2)

This is to acknowledge receipt of your: ☒ Letter and/or ☐ Application Dated: 10/13/2017

The initial processing, which included an administrative review, has been performed.

☒ Amendment ☐ Termination ☐ New License ☐ Renewal

☒ There were no administrative omissions identified during our initial review.

☐ This is to acknowledge receipt of your application for renewal of the material(s) license identified above. Your application is deemed timely filed, and accordingly, the license will not expire until final action has been taken by this office.

☐ Your application for a new NRC license did not include your taxpayer identification number. Please complete and submit NRC Form 531, Request for Taxpayer Identification Number, located at the following link: <http://www.nrc.gov/reading-rm/doc-collections/forms/nrc531.pdf>
Follow the instructions on the form for submission.

☐ The following administrative omissions have been identified:

Your application has been assigned the above listed MAIL CONTROL NUMBER. When calling to inquire about this action, please refer to this control number. Your application has been forwarded to a technical reviewer. Please note that the technical review, which is normally completed within 180 days for a renewal application (90 days for all other requests), may identify additional omissions or require additional information. If you have any questions concerning the processing of your application, our contact information is listed below:

Region I
U. S. Nuclear Regulatory Commission
Division of Nuclear Materials Safety
2100 Renaissance Boulevard, Suite 100
King of Prussia, PA 19406-2713
(610) 337-5260, (610) 337-5313,
(610) 337-5398, or (610) 337-5239