

Information Needed For Transfer of Control Application

Include a contact name and either U.S. Nuclear Regulatory Commission (NRC) regional office or Headquarters telephone numbers for follow-up information, as required.

NRC Region: 2 _____ Contact: Doug Boyd
Telephone: (304)792-8444 Fax: (304)792-8401

Definitions:

Control: Control of a license is in the hands of the person or persons who are empowered to decide when and how that license will be used. That control is to be found in the person or persons who, because of ownership or authority explicitly delegated by the owners, possess the power to determine corporate policy and, thus, the direction of the activities under the license.

Transferee: A transferee is an entity that proposes to purchase or otherwise gain control of an NRC-licensed operation.

Transferor: A transferor is an NRC licensee selling or otherwise giving up control of a licensed operation.

Information Needed for Transfer of Control

Licensees must provide full information and obtain NRC's *prior written consent* before transferring control of the license. Provide the following information concerning changes of control by the applicant (transferor and/or transferee, as appropriate). If any items are not applicable, so state.

1. Describe any planned changes in the organization, including but not limited to, transfer of stocks or assets and mergers, change in members on Board of Directors, etc. Provide the new licensee name, mailing address, and contact information, including phone numbers. Clearly identify when the amendment request is due to a name change only.
Coal-Mac LLC remains the company of record for the mine area. Coal-Mac was sold to Condor Holdings LLC. on December 13, 2019. Condor Holdings LLC is ultimately owned and controlled by John Mitchell Potter through various holding companies. The name, address, and contact information for the RSO remains the same.
2. Describe any changes in personnel or duties that relate to the licensed program. Include training and experience for new personnel and any changes in the training program.
There will be no change in personnel. Doug Boyd remains the RSO and his duties will stay the same as under the previous ownership. Also, personnel working around the nuclear devices have not changed.

3. Describe any changes in the location, facilities, equipment, radiation safety program, use, possession, waste management, or other procedures that relate to the licensed program.
No changes in location are proposed. All radiation sites are stationary and will not be modified.
4. Describe the status of the licensee's facilities, equipment, and radiation safety program, including any known contamination and whether decontamination will occur prior to transfer. Include the status of calibrations, leak tests, area surveys, wipe tests, training, quality control, and related records.
The radiation safety program is currently in compliance with all applicable laws. All calibrations, leak tests, surveys, wipe tests, and training are up-to-date.
5. If current decommissioning funding plans (DFP) will be changed as a result of the transfer, the revised DFP should be submitted. If other financial assurance documents will be changed as a result of the transfer, confirm that all financial assurance instruments associated with the license will be held in the transferee's name before the license is transferred, and as required by 10 CFR 30.35(f), the licensee must, within 30 days, submit financial instruments reflecting such changes.
No change planned in the current decommissioning funding plans are necessary.
6. Confirm that all records concerning the safe and effective decommissioning of the facility will be transferred to the transferee or to NRC, as appropriate. These records include documentation of surveys of ambient radiation levels and fixed and/or removable contamination, including methods and sensitivity.
All records associated with this facility are stored on site and will remain with transferee.
7. Confirm that both transferor and transferee agree to transferring control of the licensed material and activity, and the conditions of transfer, and that the transferee has been made aware of any open inspection items and its responsibility for possible resulting enforcement actions.
Both the transferor and transferee have agreed to the transferring of control to the transferee. Neither the transferor or the transferee are aware of any open inspection items or any potential enforcement actions.

8. Confirm that the transferee will abide by all constraints, conditions, requirements, representations, and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.
Transferee agrees to abide by all conditions, requirements, and commitments of the transferor.

9. The transferee, in the case of fuel cycle facilities, shall provide documentation showing that it is financially qualified to conduct normal operations. The information can be in the form of income statements and balance sheet forecasts.

N/A for this operation.

The undersigned hereby certifies that the above statements are true and correct to the best of his knowledge.

Coal Mac LLC

By: John M. Potter

Name: John M. Potter

Title: CEO

The undersigned hereby certifies that statement #7 is true and correct to the best of his knowledge.

Arch Coal Operations, LLC

By: Robert G. Jones

Name: Robert G. Jones

Title: Secretary