

**From:** [Terry Potter](#)  
**To:** [Ragland, Randolph](#)  
**Cc:** [Ryan Schwartz](#)  
**Subject:** [External\_Sender] RE: RE: RE: RE: NRC License Amendment Request for Additional Information  
**Date:** Thursday, April 30, 2020 11:52:57 AM  
**Attachments:** [Merger - Condor into Coal-Mac.pdf](#)

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Mr. Ragland,

Since my last correspondence to you, I found out Condor has merged into Coal-Mac. I have attached a copy of the merger document filed with the KY Secretary of State's office. So now the Snap Creek facility is controlled under Coal-Mac LLC. The parent company of Coal-Mac LLC is Phoenix Coal Holdings, LLC. The parent company of Phoenix Coal Holdings, LLC is JMP Holdings, LLC. I left out a layer during our last conversation.

JMP Holdings, LLC had a significant ownership position in Blackhawk Mining, LLC in the past; however, JMP divested the position last year and is no longer associated with Blackhawk.

I hope this helps.

Terry Potter

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**From:** Ragland, Randolph <Randolph.Ragland@nrc.gov>  
**Sent:** Thursday, April 30, 2020 10:12 AM  
**To:** Terry Potter <terry.potter@jmpholdingsllc.com>  
**Subject:** RE: RE: RE: RE: RE: NRC License Amendment Request for Additional Information

Mr. Potter,

I am trying to establish that Condor Holdings LLC is a known entity. Previously, you provided that Condor Holding, LLC is a parent to the Snap Creek Loadout facility **which is located in Logan county, WV, and has the NRC Registration # GL-722778-23**. I was able to verify that through our general license tracking system. Thank you.

You also mentioned in your March 30, 2020, submittal entitled "Information Needed for Transfer of Control Application," that Condor Holdings, LLC is ultimately controlled by John Mitchell Potter through various holding companies.

- 1) Is that JMP Holdings, LLC?, also
- 2) If so, is JMP Holdings, LLC a parent company of Blackhawk Mining, LLC. I see that Blackhawk Mining, LLC is parent to
  - a. Blue Creek Mining
  - b. Guyandotte Mining, LLC,
  - c. Panther Creek Mining, LLC, and
  - d. Rockwell Mining, LLC.

And they all have NRC specific licenses.

Regards,

Randolph C. Ragland, Jr., CHP  
Senior Health Physicist  
Division of Nuclear Materials Safety  
NRC Region I  
2100 Renaissance Boulevard, Suite 100  
King of Prussia, PA 19426  
(610) 337-5083 (office)  
(610) 310-7799 (cell)  
(610) 337-5269 (fax)

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**From:** Terry Potter <[terry.potter@jmpholdingsllc.com](mailto:terry.potter@jmpholdingsllc.com)>

**Sent:** Wednesday, April 1, 2020 9:09 AM

**To:** Ragland, Randolph <[Randolph.Ragland@nrc.gov](mailto:Randolph.Ragland@nrc.gov)>

**Subject:** [External\_Sender] RE: RE: RE: RE: NRC License Amendment Request for Additional Information

Mr. Ragland,

Condor Holding, LLC does have one other facility with an NRC Registration. The facility is Snap Creek Loadout which is located in Logan county, WV and has the **NRC Registration # GL-722778-23**

**Thanks for your patience**

**Terry Potter**

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**From:** Ragland, Randolph <[Randolph.Ragland@nrc.gov](mailto:Randolph.Ragland@nrc.gov)>

**Sent:** Monday, March 30, 2020 12:24 PM

**To:** Terry Potter <[terry.potter@jmpholdingsllc.com](mailto:terry.potter@jmpholdingsllc.com)>

**Subject:** RE: RE: RE: RE: NRC License Amendment Request for Additional Information

Mr. Potter,

Do you know if Condor Holdings LLC or if John Mitchell Potter own or control any other facilities with an NRC or an Agreement State license? If so, what is the license number?

Regards,

Randolph C. Ragland, Jr., CHP  
Senior Health Physicist  
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2100 Renaissance Boulevard, Suite 100  
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(610) 310-7799 (cell)  
(610) 337-5269 (fax)

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**From:** Terry Potter <[terry.potter@jmpholdingsllc.com](mailto:terry.potter@jmpholdingsllc.com)>  
**Sent:** Monday, March 30, 2020 8:53 AM  
**To:** Ragland, Randolph <[Randolph.Ragland@nrc.gov](mailto:Randolph.Ragland@nrc.gov)>  
**Subject:** [External\_Sender] RE: RE: RE: NRC License Amendment Request for Additional Information

Mr. Ragland,

I received the signed document on Friday afternoon. If you need anything else, please let me know.

Terry Potter

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**From:** Ragland, Randolph <[Randolph.Ragland@nrc.gov](mailto:Randolph.Ragland@nrc.gov)>  
**Sent:** Monday, March 30, 2020 7:08 AM  
**To:** Terry Potter <[terry.potter@jmpholdingsllc.com](mailto:terry.potter@jmpholdingsllc.com)>  
**Subject:** RE: RE: RE: NRC License Amendment Request for Additional Information

Mr. Potter,

I need to get moving on this change of control action?

Regards,

Randolph C. Ragland, Jr., CHP  
Senior Health Physicist  
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2100 Renaissance Boulevard, Suite 100  
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**From:** Terry Potter <[terry.potter@jmpholdingsllc.com](mailto:terry.potter@jmpholdingsllc.com)>  
**Sent:** Wednesday, March 25, 2020 1:03 PM  
**To:** Ragland, Randolph <[Randolph.Ragland@nrc.gov](mailto:Randolph.Ragland@nrc.gov)>  
**Subject:** [External\_Sender] RE: RE: NRC License Amendment Request for Additional Information

It might take a few days but I should be able to get General Manager signatures from both parties. Would you want to see a statement confirming the info is correct with their signatures?

Thanks

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**From:** Ragland, Randolph <[Randolph.Ragland@nrc.gov](mailto:Randolph.Ragland@nrc.gov)>  
**Sent:** Wednesday, March 25, 2020 12:09 PM  
**To:** Terry Potter <[terry.potter@jmpholdingsllc.com](mailto:terry.potter@jmpholdingsllc.com)>  
**Subject:** RE: RE: NRC License Amendment Request for Additional Information

Mr. Potter,

I just took a look at the information you sent. Typically, we require a signature from Senior Management from both entities to confirm what is listed in the NUREG 1556, Vol. 15, Appendix E information that you sent. Is there any way you can get corporate signatures on that document?

It would be nice to docket that version rather than the version you sent.

Regards,

Randolph C. Ragland, Jr., CHP  
Senior Health Physicist  
Division of Nuclear Materials Safety  
NRC Region I  
2100 Renaissance Boulevard, Suite 100  
King of Prussia, PA 19426  
(610) 337-5083 (office)  
(610) 310-7799 (cell)  
(610) 337-5269 (fax)

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**From:** Terry Potter <[terry.potter@jmpholdingsllc.com](mailto:terry.potter@jmpholdingsllc.com)>  
**Sent:** Wednesday, March 25, 2020 11:29 AM  
**To:** Ragland, Randolph <[Randolph.Ragland@nrc.gov](mailto:Randolph.Ragland@nrc.gov)>  
**Subject:** [External\_Sender] RE: NRC License Amendment Request for Additional Information

Randy,

I have attached Coal-Mac's responses to the questions in NUREG 1556, Vol. 15 Appendix E. If you need any clarifications, please don't hesitate to contact me

Terry Potter

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**From:** Ragland, Randolph <[Randolph.Ragland@nrc.gov](mailto:Randolph.Ragland@nrc.gov)>  
**Sent:** Wednesday, March 25, 2020 9:48 AM  
**To:** Terry Potter <[terry.potter@jmpholdingsllc.com](mailto:terry.potter@jmpholdingsllc.com)>  
**Subject:** FW: NRC License Amendment Request for Additional Information

Terry Potter, Engineering Manager  
Coal MAC, LLC

Dear Mr. Potter,

To date, I cannot locate any communications from you responding to my January 29, 2020, request for information. Did you receive the request? My contact information is at the bottom of this email.

We are in receipt of your letter dated November 11, 2019, notifying NRC that Coal Mac, Inc. License No. 47-25599-01 has had a change of control. Please be aware that we require specific information regarding changes of control of NRC licenses.

I have attached a copy of NUREG 1556, Vol. 15, "**Consolidated Guidance About Materials Licenses**, Guidance About Changes of Control and About Bankruptcy Involving Byproduct, Source, or Special Nuclear Materials Licenses." Section 5 of the document contains guidance regarding Changes of Control of NRC licenses and Appendix E, "Information Needed for Transfer of Control Applications." Because the document is in Word Format, you should be able to cut and paste Appendix E into a new document and answer the questions, and submit that information back to us.

Please include the following on your submittal:

**NRC License No.:** 47-25599-01  
**Docket No.:** 03036047  
**Mail Control Number:** 617127

Regards,

Randolph C. Ragland, Jr., CHP  
Senior Health Physicist  
Division of Nuclear Materials Safety  
NRC Region I  
2100 Renaissance Boulevard, Suite 100  
King of Prussia, PA 19426  
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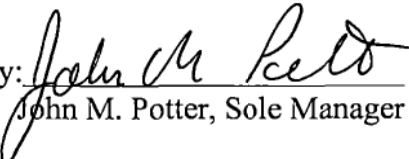
**ARTICLES OF MERGER**  
**OF**  
**CONDOR HOLDINGS, LLC**  
**INTO**  
**COAL-MAC LLC**

Pursuant to the provisions of KRS Chapter 275.345 and KRS Chapter 275.360, the undersigned entities ("Constituent Entities") hereby adopt the following Articles of Merger for the purpose of merging Condor Holdings, LLC, a Kentucky limited liability company, with and into Coal-Mac LLC, a Kentucky limited liability company, which shall be the surviving entity in the Merger.

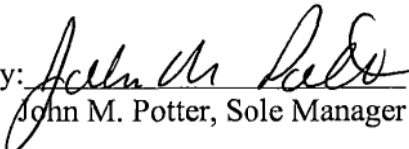
1. The names of each of the Constituent Entities are Condor Holdings, LLC and Coal-Mac LLC. Condor Holdings, LLC is a limited liability company organized under the laws of the Commonwealth of Kentucky. Coal-Mac LLC is a limited liability company organized under the laws of the Commonwealth of Kentucky.
2. The name of the surviving entity is Coal-Mac LLC.
3. No changes to the Articles of Organization of Coal-Mac LLC are desired at this time.
4. The Plan of Merger was duly authorized and approved by each of the Constituent Entities in accordance with the provisions of KRS 275.350.
5. The merger shall be effective as of the later of April 1, 2020, or of the filing of these Articles of Merger, pursuant to KRS 275.360(2).

IN WITNESS WHEREOF, the foregoing Articles of Merger have been executed by the undersigned as of the 6<sup>th</sup> day of March, 2020. We declare under penalty of perjury under the laws of the state of Kentucky that the foregoing is true and correct.

**CONDOR HOLDINGS, LLC,**

By:   
John M. Potter, Sole Manager

**COAL-MAC, LLC**


By:   
John M. Potter, Sole Manager

**ACKNOWLEDGEMENT**

COMMONWEALTH OF KENTUCKY  
COUNTY OF FAYETTE

The foregoing instrument was acknowledged before me by John M. Potter, as sole Manager of Condor Holdings, LLC, a Kentucky limited liability company, on behalf of the company, and as sole Manager of Coal-Mac, LLC, a Kentucky limited liability company, on behalf of the company on this 6th day of March, 2020.



  
NOTARY PUBLIC  
Commission #: 622464  
My commission expires: 5-26-2023