

October 12, 2005

E. Wayne Parke, Senior Vice President  
Black Beauty Coal Company  
7100 Wagle Crest Blvd.  
Evansville, IN 47715

SUBJECT: NOTICE OF VIOLATION DATED SEPTEMBER 8, 2005

Dear Mr. Parke:

This acknowledges receipt of your letter dated September 23, 2005, in response to our letter dated September 8, 2005, transmitting a Notice of Violation.

We have reviewed your corrective actions, which appear to be adequate, and have no further questions at this time. These corrective actions will be examined during a future inspection.

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

Sincerely,

*/RA/*

John R. Madera, Chief  
Materials Inspection Branch

Docket Nos. 030-32790 and 999-90003  
License Nos. 13-15133-05 and General License

cc: Robert Dyer, Radiation Safety Officer

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