

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.

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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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