



Peabody Midwest Operations
7100 Eagle Crest Boulevard
Evansville, IN 47715
812.434.8500

January 9, 2012

Michael G. Herr, CHP
Materials Licensing Branch
U.S. Nuclear Regulatory Commission, Region III
2443 Warrenville Road, Suite 210
Lisle, Illinois 60532-4352

Re: Amendment request for NRC License No. 13-15133-05 and No. 13-26785-01

Dear Mr. Herr:

Please find enclosed a Statement of Training and Experience Qualifications for the proposed RSO for the above referenced licenses. Also find enclosed a Delegation of Authority document delegating to the proposed RSO the necessary authority to carry out his duties, signed by the proposed RSO and the senior management official of the subject companies, and an organizational chart depicting the chain of command relationship between the specified parties.

If NRC finds these documents to be satisfactory, the licensee hereby requests that Radioactive Material Licenses 13-15133-05 and 13-26785-01 be amended as described below.

LICENSE NO. 13-15133-05

ITEM 12.A.

Change From: A. The Radiation Safety Officer (RSO) for this license is Robert L. Dyer.

Change To: A. The Radiation Safety Officer (RSO) for this license is Dan Pilcher.

LICENSE NO. 13-26785-01

ITEM 11.A.

Change From: A. The Radiation Safety Officer for this license is Robert L. Dyer.

Change To: A. The Radiation Safety Officer for this license is Dan Pilcher.

Please contact me at (812) 434-8537 if you have questions.

Sincerely,

Robert L. Dyer

RECEIVED JAN 12 2012

PEABODY MIDWEST MINING, LLC. NRC LICENSE NO. 13-26785-01
BEAR RUN COAL COMPANY, LLC NRC LICENSE NO. 13-15133-05

**DELEGATION OF AUTHORITY
FROM THE SENIOR MANAGEMENT OFFICIAL
TO THE RADIATION SAFETY OFFICER**

RE: Delegation of Authority to the Radiation Safety Officer

Dan Pilcher is appointed Radiation Safety Officer of Peabody Midwest Mining, LLC, and Bear Run Coal Company, LLC. Dan Pilcher is responsible for managing the radiation safety program, identifying radiation safety problems, initiating, recommending, or providing corrective actions, verifying implementation of corrective actions, stopping unsafe activities, and ensuring compliance with regulations. The management of Peabody Midwest Mining, LLC, and Bear Run Coal Company, LLC, hereby delegates Dan Pilcher with the necessary authority to meet these responsibilities, including prohibiting the use of radioactive materials by employees who do not meet the necessary requirements and shutting down operations where justified by reasons concerning radioactive material safety. Dan Pilcher is required to notify management of any situation in which staff fail to appropriately address issues concerning radiation safety. Dan Pilcher is free to contact the Nuclear Regulatory Commission at any time.

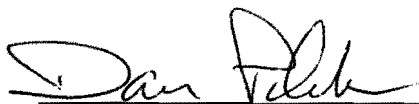


Marc Hathhorn, President

6-Jan-2012

Date

I, Dan Pilcher, hereby attest that I understand and accept the above specified duties and responsibilities.



Dan Pilcher, Radiation Safety Officer

1/5/2012

Date

**STATEMENT OF TRAINING AND EXPERIENCE QUALIFICATIONS
BY PROPOSED RADIATION SAFETY OFFICER**

I, Dan Pilcher, have successfully completed one of the training courses described in Criteria in the section entitled "Authorized Users" in NUREG-1556, Volume 4, Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Fixed Gauge Licenses, dated October 1998.


I have worked with fixed nuclear density gauges and nuclear analyzers since 2000 and understand their use, safety requirements, and regulatory requirements.

By my signature below, I hereby accept the position of Radiation Safety Officer (RSO) and the duties and responsibilities associated with the RSO position for NRC License No. 13-15133-05 and NRC License No. 13-26785-01.

I understand these duties and responsibilities to include identifying radiation safety problems, recommending, initiating, or providing corrective actions, verifying implementation of corrective actions, stopping unsafe activities, and ensuring compliance with applicable federal and state regulations.

I understand that I am delegated by the management of the Bear Run Coal Company, LLC, and Peabody Midwest Mining, LLC, with the necessary authority to meet these responsibilities, including prohibiting the use of equipment containing radioactive materials by employees who do not meet the necessary requirements and shutting down operations where justified by reasons concerning radioactive material safety.

I understand that I am required to notify management of any situation in which staff fail to appropriately address issues concerning radiation safety. I understand that I am free to contact the Nuclear Regulatory Commission at any time.

 _____ 
Dan Pilcher Date

**PEABODY MIDWEST MINING, LLC.
BEAR RUN COAL COMPANY, LLC.
ORGANIZATIONAL CHART**

**MARC HATHHORN
PRESIDENT**



**DAN PILCHER
RADIATION SAFETY OFFICER**



AUTHORIZED USERS

ROBERT L. DYER, GEOLOGIST
PEABODY MIDWEST GROUP
7100 EAGLE CREST BLVD., SUITE 200
EVANSVILLE, IN 47715

FIRST CLASS

CERTIFIED MAIL



7008 0500 0000 3495 7079



Hasler

016H26524021
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RETURN RECEIPT
REQUESTED

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Peabody
ENERGY

7100 Eagle Crest Boulevard
Suite 200
Evansville, Indiana 47715

MICHAEL G HERR, CHP - STE 210
MATLS LICENSING BRANCH
US NUC REG COMM REGION III
2443 WARRENVILLE RD
LISLE IL 60532-4352

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