

March 7, 2006

In the matter of:
Bridger Coal Company
Bridger Underground Mine
ID No. 48-01646

Petition for Modification

Docket No. M-2005-073-C

PROPOSED ORDER OF DISMISSAL

On November 9, 2005, Bridger Coal Company filed a petition pursuant to 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. Sec. 811(c), and 30 CFR 44 et seq., for the modification of the application of 30 CFR 75.1101-8, to its Bridger Underground Mine, located in Sweetwater County, Wyoming. The petition was filed as an amendment to the operator's previously granted modification, identified by Docket No. M-2005-037-C.

On January 31, 2006, the Division of Safety received an investigation report from District 9. The report stated that Petitioner's proposed alternative method was consistent with the requirements of the standard and the requirements of the previously granted modification. As a result, this amended petition is not needed and should be dismissed.

On March 2, 2006, the Division of Safety received a letter from the petitioner requesting the petition be withdrawn.

Therefore, pursuant to the authority delegated by the Secretary of Labor to the Administrator for Coal Mine Safety and Health, Bridger Coal Company's Petition for Modification of 30 CFR 75.1101-8 to its Bridger Underground Mine is hereby:

DISMISSED

Any party to this action desiring a hearing on this matter must file in accordance with 30 CFR 44 within 30 days. The request for hearing must be filed with the Administrator for Coal Mine Safety and Health, 1100 Wilson Boulevard, Arlington, Virginia 22209-3939.

If a hearing is requested, the request shall contain a concise summary of position on the issues of fact or law desired to be raised by the party requesting the hearing, including specific

objections to the proposed decision. A party other than Petitioner who has requested a hearing shall also comment upon all issues of fact or law presented in the petition, and any party to this action requesting a hearing may indicate a desired hearing site. If no request for a hearing is filed within 30 days after service thereof, the Order of Dismissal will become final.

Terry L. Bentley
Chief, Safety Division for
Coal Mine Safety and Health