

August 12, 2004

In The Matter of
Christy Minerals LLC,
Christy Minerals Plant
I.D. No. 23-01545

PETITION FOR MODIFICATION

Docket No. M-2004-002-M

PROPOSED ORDER OF DISMISSAL

On February 6, 2004, Christy Minerals, LLC (Christy) pursuant to Section 101(c) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. § 811(c), and 30 CFR 44 et seq., filed a petition for modification of 30 CFR § 56.12028 (Testing grounding systems). 30 CFR § 56.12028 Testing grounding systems provides:

Continuity and resistance of grounding systems shall be tested immediately after installation, repair, and modification; and annually thereafter. A record of the resistance measured during the most recent tests shall be made available on a request by the Secretary or his duly authorized representative.

On May 21, 2004, a Christy official requested in writing that the petition be withdrawn. Therefore, the petition for modification is not necessary and is hereby:

DISMISSED

/s/ Robert M. Friend

Robert M. Friend
Administrator for
Metal and Nonmetal Mine Safety and Health