

June 15, 2007

In The Matter of
Unimin Corporation
Hamilton Mill
I.D. No. 34-00002

PETITION FOR MODIFICATION

Docket No. M-2005-003-M

PROPOSED ORDER OF DISMISSAL

On August 1, 2005, Unimin Corporation (Unimin), pursuant to Section 101(c) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. § 811(c), and 30 C.F.R. Part 44, filed a petition for modification of 30 C.F.R. § 56.13020 (use of compressed air). The petitioner requested to use a clothes cleaning process that under controlled conditions directed compressed air toward a person.

30 C.F.R. § 56.13020, use of compressed air, provides:

At no time shall compressed air be directed toward a person. When compressed air is used, all necessary precautions shall be taken to protect persons from injury.

On June 11, 2007, Unimin requested, in writing, that the petition be withdrawn. Therefore, the petition for modification is not necessary and is hereby:

DISMISSED

/s/Felix A. Quintana

Felix A. Quintana
Administrator for Metal and Nonmetal
Mine Safety and Health