

In the matter of:  
Highland Mining Company LLC  
(formerly Peabody Coal Company)  
Highland 9 Mine  
(formerly Camp No. 1 Mine)  
I.D. No. 15-02709

Petitions for Modification

<u>Docket Nos.</u>	<u>30 CFR Standard</u>	<u>Granted</u>	<u>Finalized</u>
M-1992-031-C	75.305	July 14, 1992	August 13, 1992
M-1993-271-C	75.364(b)(1)	March 7, 1995	April 6, 1995
M-1995-052-C	75.364(b)	March 27, 1996	April 26, 1996
M-1997-096-C	75.364(b)(4)	May 17, 1999	June 16, 1999
M-1998-021-C	75.364(a)(1)	May 17, 1999	June 16, 1999
M-1999-003-C	75.364(b)	January 28, 2000	February 27, 2000
M-1999-004-C	75.364(b)(2)	January 27, 2000	February 26, 2000

#### PROPOSED DECISION AND ORDER TO REVOKE

MSHA has determined that the area of the Highland Mining Company, LLC's Highland 9 Mine associated with the subject modifications of mandatory safety standards has been sealed from active mine workings. MSHA has determined that the mining conditions have changed and that these seven (7) modifications are no longer needed at the referenced mine. Other granted modifications of mandatory safety standards in effect at the Highland 9 Mine remain unaffected by this Proposed Decision and Order to Revoke.

Wherefore, pursuant to the authority delegated by the Secretary of Labor to the Administrator for Coal Mine Safety and Health, and pursuant to section 101(c) of the Federal Mine Safety Health Act of 1977, 30 U.S.C. 811(c), the modifications as they apply to the referenced mine are hereby:

REVOKED.

Pursuant to 30 CFR 44.52, revocations of the granted modifications will become final 30 days after service of this Proposed Decision and Order to Revoke, unless a hearing is requested on the Decision and Order. Any party to this action desiring a hearing on this matter must file in accordance with 30 CFR 44.14, 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 the 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 may 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 to Revoke will become final.

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Charles E. Carpenter  
Acting Chief, Division of Safety  
Coal Mine Safety and Health