

January 27, 2006

In the matter of
Buzzi Unicem US
Chattanooga Plant
ID No. 40-00838

Docket No. M-84-020-M

PROPOSED DECISION AND ORDER TO REVOKE

On June 4, 1985, Buzzi Unicem US (formerly Signal Mountain Cement Company) was granted a petition for modification at its Chattanooga Plant (formerly Cement Plant) of 30 CFR § 56.16014(b) (formerly 30 CFR 56.16-14) pursuant to Section 101(c) of the Federal Mine Safety and Health Act of 1977, based upon an alternative method of compliance. The granted petition required appropriate warning signs against entry when the overhead crane was in operation because the crane was not equipped with automatic switches to halt uptravel of the blocks before they struck the hoist.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

MSHA Southeast District personnel determined that the crane has been disconnected. The company has no plans for using the crane and is in the process of removing the crane from the craneway building. Consequently, modification of the mandatory standard is no longer needed.

ORDER

Wherefore, pursuant to the authority delegated by the Secretary of Labor to the Administrator for Metal and Nonmetal Mine Safety and Health and pursuant to Section 101(c) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C., Section 811(c), it is ordered that Buzzi Unicem US's modification of 30 CFR § 56.16014(b) as it pertains to the overhead crane at the Chattanooga Plant, is hereby **REVOKED**.

/s/ Felix Quintana

Felix Quintana
Acting Administrator for
Metal and Nonmetal Mine Safety and Health