

Vulcan Materials CO
Form 8-K
September 14, 2012

**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549**

FORM 8-K

**CURRENT REPORT
Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934**

Date of Report (Date of earliest event reported): September 10, 2012

**VULCAN MATERIALS COMPANY
(Exact name of registrant as specified in its charter)**

New Jersey 001-33841 20-8579133
(State or other Jurisdiction of Incorporation) (Commission File Number) (IRS Employer Identification No.)

**1200 Urban Center Drive
Birmingham, Alabama 35242
(Address of principal executive offices) (zip code)**

(205) 298-3000

Registrant's telephone number, including area code:

Not Applicable

(Former name or former address if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Item 1.04 Mine Safety

On September 10, 2012, Vulcan Materials Company (the “Company”) received an imminent danger order issued by the Mine Safety and Health Administration (“MSHA”) under section 107(a) of the Federal Mine Safety and Health Act of 1977 at our TSB Cement Plant in Newberry, Florida. The order and subsequent 104(a) S&S citation were issued when a tanker driver employed by M&M Carrier Group Corp was observed standing on top of the cement tanker without using the provided fall prevention equipment.

As of filing time, MSHA officials have verbally communicated to the Company that the 107(a) imminent danger order as well as the 104(a) S&S citation will be vacated and re-issued to M&M Carrier Group Corp.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Vulcan Materials Company

Date: September 14, 2012 By: /s/ Robert A. Wason IV
Robert A. Wason IV