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SOL (MSHA) V. REPUBLIC STEEL
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Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges

SECRETARY OF LABOR,
MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA),
APPLICANT

Civil Penalty Proceeding

Docket No. PIKE 78-410-P
A.O. No. 15-02117-02036V

v.

Republic Mine

REPUBLIC STEEL CORPORATION,
RESPONDENT

DECISION APPROVING SETTLEMENT

This proceeding involves seven charges of violations of mandatory safety and health standards initially assessed by MSHA for a total of \$44,500.

Order No. 6-0263 alleges one violation of 30 CFR 75.200 (failure to follow approved roof-control plan), initially assessed by MSHA for \$10,000. The parties have agreed to a reduction of the penalty to \$3,000.

Order No. 6-0264 alleges one violation of 30 CFR 75.400 (failure to prevent accumulations of coal dust), initially assessed by MSHA for \$7,500. The parties have agreed to a reduction of the penalty to \$3,000.

The remaining five orders each allege one violation of 30 CFR 75.604 (failure to properly splice electrical cables). Each alleged violation of 30 CFR 75.604 was initially assessed by MSHA for \$5,500.

The parties have agreed to a reduction of the assessed penalties as follows: For Order No. 6-0265, the assessed penalty is reduced to \$2,600; for Order No. 6-0267, the assessed penalty is reduced to \$2,400; for Order No. 6-0268, the assessed penalty is reduced to \$2,500; for Order No. 6-0269, the assessed penalty is reduced to \$2,500; and for Order No. 6-0270, the assessed penalty is reduced to \$2,500.

I find the parties' motion for approval of settlement is consistent with the six statutory criteria set forth in section 110(i) of the Act and is supported by the record. On the basis thereof, the motion for approval of settlement is GRANTED.

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WHEREFORE IT IS ORDERED that the Respondent shall pay the agreed civil penalties (\$18,500) within 40 days, and upon such payment the proceeding is DISMISSED.

WILLIAM FAUVER
JUDGE