

CCASE:
MSHA & ARNOLD SPARKS V. ALLIED CHEMICAL
DDATE:
19791206
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FEDERAL MINE SAFETY & HEALTH REVIEW COMMISSION
WASHINGTON, D.C.
December 6, 1979

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

on behalf of
ARNOLD J. SPARKS, JR.

v. Docket No. WEVA 79-148-D

ALLIED CHEMICAL CORPORATION

DECISION

The decision of the administrative law judge is reversed; his order is vacated, and the complaint is dismissed. Helen Mining Co., No. PITT 79-11-P (November 21, 1979). See also Kentland-Elkhorn Coal Corp., No. PIKE 78-399 (November 30, 1979).

Jerome R. Waldie, Chairman

Commissioner

Richard V. Backley,

Commissioner

Marian Pearlman Nease,

Commissioners Jestrab and Lawson, dissenting:

We dissent for the reasons stated in our dissent opinions in Helen Mining Co., No. PITT 79-11-P (November 21, 1979), and

Kentland-Elkhorn Coal Corp., No. PIKE 78-399 (November 30, 1989).