

## FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

### SUNSHINE ACT NOTICE

TIME AND DATE: 10:00 a.m., Friday, May 13, 2022

PLACE: The Richard V. Backley Hearing Room, Room 511, 1331 Pennsylvania Avenue, NW, Suite 504 North, Washington, DC 20004 (enter from F Street entrance)

STATUS: Open

### MATTERS TO BE CONSIDERED:

The Commission will consider and act upon the following in open session: *Peabody Midwest Mining, LLC and Butler employed by Peabody Mining Midwest Mining, LLC*, Docket Nos. LAKE 2019-0023, 2019-0122, 2019-0361. (Issues include whether the Judge erred in concluding that the operator violated standards when it failed to immediately de-energize equipment when it encountered high methane levels, whether the violation was significant and substantial, and whether a supervisor was liable for individual penalties.).

Pursuant to the Commission's COVID-19 Workplace Safety Plan, in-person attendance shall be limited to persons participating in the decisional process (e.g., Chair and Commissioners, Commission employees providing support for the meeting). Non-participating individuals may listen to the meeting by calling the phone number listed below in this notice.

Any person attending this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and 2706.160(d).

### CONTACT PERSON FOR MORE INFO:

Emogene Johnson (202) 434-9935 / (202) 708-9300 for TDD Relay / 1-800-877-8339 for toll free.

### PHONE NUMBER FOR LISTENING TO MEETING:

1-(866) 236-7472  
Passcode: 678-100

Authority: 5 U.S.C. 552b

Dated: April 27, 2022

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Sarah L. Stewart  
Deputy General Counsel

Billing Code 6735-01