

CCASE:  
SOL (MSHA) V. THE NORTH AMERICAN COAL  
DDATE:  
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TTEXT:

Federal Mine Safety and Health Review Commission  
Office of Administrative Law Judges

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

v.

THE NORTH AMERICAN COAL CORP.,  
RESPONDENT

Civil Penalty Proceedings

Docket No. LAKE 79-118  
A/O No. 33-00939-03042  
Docket No. LAKE 79-214  
A/O No. 33-00939-03055  
Docket No. LAKE 79-263  
A/O No. 33-00939-03059  
Docket No. LAKE 80-64  
A/O No. 33-00939-03066  
Powhatan No. 3 Mine

Docket No. LAKE 79-262  
A/O No. 33-00938-03050  
Docket No. LAKE 80-61  
A/O No. 33-00938-03052  
Powhatan No. 1 Mine

Docket No. LAKE 79-266  
A/O No. 33-00937-03031  
Docket No. LAKE 80-65  
A/O No. 33-00937-03034  
Powhatan No. 5 Mine

QUARTO MINING COMPANY,  
RESPONDENT

Docket No. VINC 79-124-P  
A/O No. 33-01157-03021  
Docket No. LAKE 79-228  
A/O No. 33-01157-03079  
Docket No. LAKE 79-265  
A/O No. 33-01157-03082  
Docket No. LAKE 80-31  
A/O No. 33-01157-03083  
Docket No. LAKE 80-32  
A/O No. 33-01157-03084  
Powhatan No. 4 Mine

Docket No. LAKE 79-229  
A/O No. 33-02624-03055  
Docket No. LAKE 80-95  
A/O No. 33-02624-03066  
Docket No. LAKE 80-96  
A/O No. 33-02624-03065  
Powhatan No. 7 Mine

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NACCO MINING COMPANY,  
RESPONDENT

Docket No. LAKE 79-230  
A/O No. 33-01159-03059  
Powhatan No. 6 Mine

DECISION

The issue in the above-captioned cases and the arguments of the parties are identical to those involved in Secretary of Labor v. Alabama By-Products Corp., Docket No. SE 79-110, et al. which I have decided today. For the reasons set forth in the latter opinion, a copy of which is attached, the citations in the instant cases are vacated and the petitions are DISMISSED.

Charles C. Moore, Jr.  
Administrative Law Judge