

CCASE:
SOL (MSHA) V. PEABODY 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.

PEABODY COAL COMPANY,
RESPONDENT

Civil Penalty Proceedings

Docket No. LAKE 80-36
A.O. No. 11-01008-03029

Baldwin Mine

Docket No. LAKE 80-27
A.O. No. 11-00598-03037

Eagle No. 2 Mine

Docket No. LAKE 80-26
A.O. No. 11-00585-03028

Mine No. 10

Docket No. LAKE 80-25
A.O. No. 11-00725-03037

River King No. 1 UG

DECISION AND ORDER

Despite the operator's withdrawal of its petition for discretionary review in the captioned matters on the ground they were settled and paid, the Commission joined them with an unrelated matter in issuing its suspension order of April 14, 1980 and decision of May 16, 1980. Secretary v. Peabody Coal Company, Dkt. LAKE 80-25, et al., 2 FMSHRC _____. For this reason, the finality of the decision approving settlement of these matters was suspended pending the decision in the unrelated matter. The Commission having now remanded the unrelated matter apparently intended to life suspension of all the matters cited in the captioned to its decision.

Accordingly, it is ORDERED that the judge's decision of March 5, 1980, be, and hereby is, REINSTATED and CONFIRMED.

Joseph B. Kennedy
Administrative Law Judge