

CCASE:
SOL (MSHA) V. PLATEAU RESOURCES
DDATE:
19830926
TTEXT:

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

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

CIVIL PENALTY PROCEEDING

Docket No. WEST 82-117-M
A.C. No. 42-01150-05018

v.

Lucky Strike Mine

PLATEAU RESOURCES LIMITED,
RESPONDENT

DECISION

Appearances: Phyllis Caldwell, Esq., Office of the Solicitor,
U.S. Department of Labor, Denver, Colorado, for
Petitioner James A. Holtkamp, Esq., Van Cott,
Bagley Cornwall & McCarthy, Salt Lake City, Utah,
for Respondent

Before: Judge Kennedy

The operator having failed to renew its contest of the penalties proposed for the two noise violations cited in the captioned matter as provided in the Order of March 28, 1983, it is ORDERED that said notice of contest be, and hereby is DISMISSED with prejudice and that the operator pay the amount of the penalties proposed, \$144.00, on or before Friday, October 14, 1983.

Joseph B. Kennedy
Administrative Law Judge