

CCASE:
SOL (MSHA) V. U.S. STEEL MINING
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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. PENN 82-306
A.C. No. 36-05018-03502

v.

Cumberland Mine

U. S. STEEL MINING CO., INC.,
RESPONDENT

DECISION APPROVING SETTLEMENT

Appearances: Thomas A. Brown, Esq., Office of the Solicitor,
U. S. Department of Labor, Philadelphia,
Pennsylvania, for Petitioner Louise Q. Symons,
Esq., Pittsburgh, Pennsylvania, for Respondent

Before: Judge Merlin

This case is before me upon a Petition for Assessment of Civil Penalty under Section 110(a) of the Federal Mine Safety and Health Act of 1977 (the Act). The Petitioner has made a motion to approve a settlement agreement. Payment of the original penalties of \$217 was proposed. At the hearing I determined that the proffered settlement was appropriate under the criteria set forth in Section 110(i) of the Act. I now affirm that determination.

WHEREFORE, the motion for approval of settlement is GRANTED and it is ORDERED that Respondent pay \$217 within 30 days from the date of this decision.

Paul Merlin
Chief Administrative Law Judge