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SOL (MSHA) V. SOUTHWESTERN ILLINOIS COAL
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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. LAKE 80-216
A.C. No. 11-00609-03016

v.

Captain Strip Mine

SOUTHWESTERN ILLINOIS COAL
CORPORATION,
RESPONDENT

ORDER

Before: Judge Koutras

On October 31, 1983, the Commission issued its decision on the appeal filed in this matter and remanded the case to me for the determination of an appropriate civil penalty for Citation No. 777767, issued on November 30 CFR 77.1710(g). The Commission reversed my decision vacating this citation, reinstated and affirmed the violation, and remanded the case for an assessment of civil penalty.

By agreement of the parties, and after consideration of the record in this case, including the statutory criteria found in Section 110(i) of the Act, a civil penalty assessment of \$78 is imposed for the violation in question, and the respondent IS ORDERED to pay this amount within thirty (30) days of the date of this Order. Upon receipt of payment by the petitioner, this case is dismissed.

George A. Koutras
Administrative Law Judge