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SOUTHERN OHIO COAL v. SOL (MSHA)
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Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges

SOUTHERN OHIO COAL COMPANY,
CONTESTANT

v.

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

CONTEST PROCEEDING

Docket No. WEVA 84-346-R
Citation No. 2415209; 7/24/84

Martinka No. 1 Mine

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

v.

SOUTHERN OHIO COAL COMPANY,
RESPONDENT

CIVIL PENALTY PROCEEDING

Docket No. WEVA 85-85
A.C. No. 46-03805-03610

Martinka No. 1 Mine

DECISION APPROVING SETTLEMENT

Before: Judge Kennedy

After this matter came on for a hearing in Morgantown, West Virginia, the parties tendered a settlement based on vacation of the challenged citation.

Finding this proposal in accord with the purposes and policy of the Act, the trial judge approved the settlement and entered a bench decision granting the contest and dismissing the civil penalty proceeding.

The premises considered, therefore, it is ORDERED that the bench decision be, and hereby is, ADOPTED AND CONFIRMED as the final disposition of these matters.

Joseph B. Kennedy
Administrative Law Judge