

CCASE:
SOL (MSHA) V. BJD COAL
DDATE:
19860102
TTEXT:

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

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

v.

BJD COAL COMPANY, INC.,
RESPONDENT

CIVIL PENALTY PROCEEDING

Docket No. KENT 85-165
A.C. No. 15-12081-03530
Docket No. KENT 85-197
A.C. No. 15-12081-03531

No. EÄ1 Mine

DECISION APPROVING SETTLEMENT

Before: Judge Melick

These cases are before me upon petitions for assessment of civil penalty under Section 105(d) of the Federal Mine Safety and Health Act of 1977 (the Act). Petitioner has filed a joint motion to approve settlement agreements and to dismiss the cases. Respondent has agreed to pay the proposed penalties of \$2,140 in full. I have considered the representations and documentation submitted in these cases, and I conclude that the proffered settlement is appropriate under the criteria set forth in Section 110(i) of the Act.

WHEREFORE, the motion for approval of settlement is GRANTED, and it is ORDERED that Respondent pay penalties of \$2,140 within 30 days of this order. No amount of these penalties shall be taken from nor detracted from the estate of the deceased Jimmy Dale Hamilton.

Gary Melick
Administrative Law Judge