

CCASE:  
SOL (MSHA) V. MELANIE COAL  
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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. KENT 85-193  
A.C. No. 15-14443-03517

v.

No. 4 Mine

MELANIE COAL COMPANY, INC.,  
RESPONDENT

DECISION APPROVING SETTLEMENT

Before: Judge Kennedy

Based on an independent evaluation and de novo review of the circumstances, I find CMI Richy D. Hamilton and the Assessment Office did a specially commendable job of enforcement in this case and that unlike many of the marginal proposals I receive this one is in full accord with the purposes and policy of the Act.

Accordingly, It is ORDERED that the motion to approve settlement be, and hereby is, GRANTED. It is FURTHER ORDERED that the operator pay the amount of the settlement agreed upon, \$3,692, in six equal installments commencing January 15, 1986 and each month thereafter until the full amount is paid on or before June 15, 1986. Finally, it is ORDERED that subject to payment of the amount agreed upon the captioned matter be DISMISSED.

Joseph B. Kennedy  
Administrative Law Judge