

CCASE:
SOL (MSHA) V. NALLY & HAYDON
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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. KENT 85-199-M
A.C. No. 15-00037-05501

v.

Docket No. KENT 85-200-M
A.C. No. 15-00037-05502

NALLY & HAYDON, INC.,
RESPONDENT

Hurricane Gap Quarry Mine

Docket No. KENT 85-201-M
A.C. No. 15-00071-05504

Harlan Mine

DECISION APPROVING SETTLEMENT

Before: Judge Kennedy

This matter is before me on the parties' amended motion to approve settlement by increasing the amount of the settlement proposed from \$1,377 to \$7,305.

Based on an independent evaluation and res nova review of the circumstances, I find the settlement, as now proposed, is in accord with the purposes and policy of the Act.

Accordingly, it is ORDERED that the operator pay the amount of the settlement agreed upon, \$7,305, on or before Friday, March 21, 1986, and that subject to payment the captioned matter be DISMISSED.

Joseph B. Kennedy
Administrative Law Judge