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SOL (MSHA) V. ST. JOE MINERALS
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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. CENT 86-25-M
A.C. No. 23-00494-05512

v.

Viburnum No. 28 Mine

ST. JOE MINERALS CORP.,
RESPONDENT

ORDER APPROVING SETTLEMENT

Before: Judge Broderick

On February 13, 1986, Petitioner and Respondent filed a joint motion to approve a settlement agreement originally assessed at \$7000 propose to settle for \$5000.

The violation charged was failure to take down loose slabs of pillar which resulted in a fatal accident. The motion states that Respondent's negligence originally judged as moderate was in fact low, because the evidence shows that Respondent repeatedly advised employees to avoid the area of the mine where the accident occurred. The violation was very serious. I accept the representation in the motion and conclude that the settlement should be approved.

Accordingly, the settlement is APPROVED and Respondent is ORDERED TO PAY the sum of \$5000 within 30 days of the date of this order.

James A. Broderick
Administrative Law Judge