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SOL (MSHA) V. E.C. COAL SALES
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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. WEVA 85-170
A.C. No. 46-06661-03503

v.

No. 3 Mine

E.C. COAL SALES COMPANY, INC.,
RESPONDENT

DEFAULT DECISION

Before: Judge Maurer

On February 19, 1986, a show cause order was issued in this case giving respondent ten (10) days to show cause why its ANSWER should not be struck and a DEFAULT DECISION entered against it for its failure to answer official correspondence or otherwise actively defend this case.

Respondent has again failed to respond and therefore is deemed to have waived any further right to a hearing. The proposed civil penalties shall therefore be made the final order of the Commission.

WHEREFORE IT IS ORDERED that respondent pay the Secretary's proposed civil penalties in the amount of \$186 within 30 days of this decision.

Roy J. Maurer
Administrative Law Judge