

CCASE:
SOL (MSHA) V. WESTERN ROCK PRODUCTS
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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 PROCEEDINGS

Docket No. WEST 85-23-M
A.C. No. 42-00415-05506
Cedar City Mine

v.

WESTERN ROCK PRODUCTS
CORPORATION,
RESPONDENT

Docket No. WEST 85-24-M
A.C. No. 42-01572-05505
Sorenson Pit Mine

DECISION APPROVING SETTLEMENT

Appearances: Robert J. Lesnick, Esq., Office of the Solicitor,
U.S. Department of Labor, Denver, Colorado,
for Petitioner;
Mr. Darrell G. Whitney, Western Rock Products
Corporation, St. George, Utah, pro se.

Before: Judge Lasher

Subsequent to the commencement of the hearing in the above two
consolidated dockets, Respondent agreed to pay the penalties set forth in the
Secretary's Proposal for Penalty in full, to wit:

Docket No. WEST 85-23-M

Citation No.	Proposed and Agreed Penalty
2358849	\$ 227.00
2358850	20.00
2358851	227.00
2358852	227.00
2358853	227.00
2358854	276.00
2358855	276.00
TOTAL	\$1,480.00

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Docket No. WEST 85Ä24ÄM

Citation No.	Proposed and Agreed Penalty
2358856	\$ 58.00
2358858	20.00
2358859	20.00
2358860	20.00
2360661	20.00
2360662	20.00
2360663	20.00
TOTAL	\$178.00

Both parties agreeing, and the settlement appearing reasonable and proper, the settlement was approved from the bench. That approval is hereby affirmed and both proceedings are DISMISSED. The reasonableness and good faith approach of both parties is noted.

ORDER

Respondent if it has not previously done so, is ordered to pay to the Secretary of Labor within 30 days from the date hereof the sum of \$1,658.00.

Michael A. Lasher, Jr.
Administrative Law Judge