

CCASE:
SOL (MSHA) V. KARST ROBBINS COAL
DDATE:
19860605
TTEXT:

Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges

SECRETARY OF LABOR,
MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA),
PETITIONER

CIVIL PENTALTY PROCEEDINGS

Docket No. KENT 85-190
A.C. No. 15-10904-03534

v.

No. 6 Mine

KARST ROBBINS COAL COMPANY,
INC.,
RESPONDENT

DECISION

Appearances: Charles F. Merz, Esq., Office of the Solicitor,
U.S. Department of Labor, Nashville, Tennessee,
for Petitioner;
Mr. Edward W. Karst, Operator, Louellen,
Kentucky, for Respondent

Before: Judge Kennedy

These matters came on for a decision after hearing in
Hazard, Kentucky, on May 22, 1986. At that time, the parties
proposed settlement of the two violations charged as follows:

CITATION/ORDER

ACTION/PENALTY

2476390
2476391

Vacate
\$600.00

Based on an independent evaluation and de novo review of the
circumstances, as proffered in the parties' prehearing
submissions and in the evidence adduced at the hearing, the trial
judge found the settlement proposed was in accord with the
purposes and policy of the Act.

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Accordingly, it is ORDERED that the settlement be, and hereby is, APPROVED. It is FURTHER ORDERED that the operator pay the amount of the settlement agreed upon, \$600, within 30 days of the date of issuance of this order and that MSHA forthwith vacate Citation 2476390.

Joseph B. Kennedy
Administrative Law Judge