

CCASE:
SOL (MSHA) V. FIFE ROCK PRODUCTS
DDATE:
19860915
TTEXT:

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. WEST 85-141-M
A.C. No. 42-00377-05502

v.

Fife Brigham Pit

FIFE ROCK PRODUCTS COMPANY,
INC.,
RESPONDENT

DECISION

Appearances: Margaret A. Miller, Esq., Office of the Solicitor,
U.S. Department of Labor, Denver, Colorado,
for Petitioner.

Before: Judge Morris

This is a civil penalty proceeding initiated by petitioner against respondent in accordance with the Federal Mine Safety and Health Act of 1977, 30 U.S.C. 801 et seq. The civil penalty sought here is for the violation of 30 C.F.R. 56.1507, a mandatory standard promulgated pursuant to the Act.

After notice to the parties, a hearing was scheduled in Salt Lake City, Utah on August 12, 1986. The petitioner appeared but respondent failed to appear.

Pursuant to Commission Rule 63(b), 29 C.F.R. 2700.63(b), respondent was found to be in default.

Accordingly, I enter the following:

ORDER

Citation 2360673 and the proposed civil penalty of \$600 are affirmed.

John J. Morris
Administrative Law Judge