

CCASE:
SOL (MSHA) V. U.S. STEEL MINING
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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. PENN 86-123
A.C. No. 36-05018-03605

v.

Cumberland Mine

U.S. STEEL MINING CO., INC.,
RESPONDENT

U.S. STEEL MINING CO., INC.,
CONTESTANT

CONTEST PROCEEDING

Docket No. PENN 86-178-R
Citation No. 2678489; 4/28/86

v.

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

Cumberland Mine

DECISION

Appearances: David T. Bush, Esq., Office of the Solicitor,
U.S. Department of Labor, Philadelphia, PA,
for Petitioner/Respondent;
Billy M. Tennant, Esq., U.S. Steel Mining Company
Pittsburgh, PA, for Respondent/Contestant.

Before: Judge Fauver

After the evidentiary hearing, counsel for the Secretary has moved to withdraw his petition for civil penalty and to vacate Citation No. 2678489.

ORDER

FOR GOOD CAUSE SHOWN, the petition for civil penalty in PENN 86-123 is DISMISSED and Citation No. 2678489 in PENN 86-178-R is VACATED, thereby concluding both proceedings.

William Fauver
Administrative Law Judge