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SOL (MSHA) V. UTAH POWER
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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. WEST 86-240
A.C. No. 42-00121-03610

v.

Deer Creek Mine

UTAH POWER & LIGHT COMPANY,
(EMERY MINING),
RESPONDENT

DECISION APPROVING PARTIAL SETTLEMENT

Before: Judge Lasher

The parties, as part of an overall settlement involving 16 dockets, have reached a partial settlement of the four enforcement papers (three withdrawal orders and one Citation) involved herein. As part of the motion for settlement approval dated April 1, 1987, the Secretary has vacated Orders Nos. 2835140 and 2834563, and the Respondent has agreed to the full amount of MSHA's initial assessment of \$400.00 for Order No. 2834579. The remaining enforcement paper, Citation No. 2834575, is in the process of litigation and is being reviewed in a separate contest matter before the Commission, Docket No. WEST 86-126-R.

I have approved the above settlement in this docket as part of the docket resolution urged by the parties which is being simultaneously approved by me. Such approval is here affirmed.

Counsel for both parties are requested to advise me, with appropriate recommendations as to disposition, of remaining Citation No. 2834575, as soon as possible following the Commission's determination in Docket No. WEST 86-126-M.

Michael A. Lasher, Jr.
Administrative Law Judge