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

SECRETARY OF LABOR, CIVIL PENALTY PROCEEDING
MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA), Docket No. LAKE 87-35
PETITIONER A.C. No. 11-02662-03549

v. No. 1 Mine

WHITE COUNTY COAL CORPORATION,
RESPONDENT

WHITE COUNTY COAL CORPORATION, CONTEST PROCEEDING
CONTESTANT

v. Docket No. LAKE 87-18-R
Citation No. 2816261;
11/5/86

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

DECISION APPROVING SETTLEMENT

Before: Judge Fauver

Docket No. LAKE 87-35 is a petition for assessment of a civil penalty under 105(d) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. 801, et seq. Docket No. LAKE 87-18-R is a notice of contest seeking review of the citation involved in the penalty case. Petitioner has filed a motion to approve a settlement agreement and to dismiss both cases. I have considered the representations and documentation submitted and I conclude that the proffered settlement is consistent with the criteria in section 110(i) of the Act.

ORDER

WHEREFORE IT IS ORDERED that the motion for approval of settlement is GRANTED and Respondent shall pay the approved penalty of \$900 within 30 days of this Decision. Upon such payment both proceedings are DISMISSED.

William Fauver
Administrative Law Judge