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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	Docket No. WEVA 86-400 A.C. No. 46-06042-03518 Patriot Coal Mine
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v.

PATRIOT COAL COMPANY,
RESPONDENT

DECISION APPROVING SETTLEMENT

Before: Judge Broderick

On July 20, 1987, the Secretary of Labor filed a motion for approval of a settlement reached by the parties in this case. The violations were originally assessed at \$250 and the parties propose to settle for \$200.

The motion states that Respondent's negligence was less than originally believed in connection with the alleged violation cited, namely the absence of a backup alarm on a pickup truck. Respondent believed that the truck in question was a service vehicle and not subject to the standard requiring backup alarms. I have considered the motion in the light of the criteria in section 110(i) of the Act, and conclude that it should be approved.

Accordingly, the settlement is APPROVED and Respondent is ORDERED TO PAY the sum of \$200 within 30 days of the date of this order.

James A. Broderick
Administrative Law Judge