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WESTMORELAND COAL V. SOL (MSHA)
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Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges

WESTMORELAND COAL COMPANY,
CONTESTANT

CONTEST PROCEEDING

v.

Docket No. HOPE 78-236
Order No. 1 FTC; 2/10/78

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

Hampton No. 4 Mine

AND

UNITED MINE WORKERS OF
AMERICA (UMWA),
INTERVENOR

ORDER LIFTING STAY AND DISMISSING PROCEEDINGS

Contestant requests approval to withdraw its Contest in the captioned case based upon an agreement between Contestant and Respondent captioned "Statement of Modification and Agreement and Motion to Dismiss" filed by Respondent on August 11, 1987. The Intervenor has not filed any objection to the requested withdrawal.

Under the circumstances herein, permission to withdraw is granted. 29 CFR 2700.11. The Stay Order previously issued is accordingly now lifted and the case is therefore dismissed.

Gary Melick
Administrative Law Judge
(703) 756-6261