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SOL (MSHA) V. GREEN RIVER COAL CO.
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Federal Mine Safety and Health Review Commission (F.M.S.H.R.C.)
Office of Administrative Law Judges

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

CIVIL PENALTY PROCEEDING

Docket No. KENT 88-92-A
A.C. No. 15-13469-03643

v.

Green River No. 9 Mine

GREEN RIVER COAL COMPANY,
RESPONDENT

DECISION

Appearances: Flem Gordon, Esq., Gordon & Gordon, Owensboro, KY,
for Green River Coal Co.;
Mary Sue Ray, Esq., Office of the Solicitor, U.S.
Department of Labor, Nashville, TN, for the
Secretary of Labor.

Before: Judge Fauver

This is a civil penalty case under 110 of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. 801 et seq. At a hearing of a companion contest case, Docket No. KENT 88-92-A, in Evansville, Indiana, the parties proposed a settlement agreement to include payment of the penalty proposed herein and dismissal of the contest case. The matter was considered under the criteria for civil penalties in 110(i) of the Act and approved.

This Decision confirms the bench decision at the hearing, approving the settlement.

ORDER

WHEREFORE IT IS ORDERED that Respondent shall pay the approved civil penalty of \$800 within 30 days of this Decision and upon such payment this proceeding is DISMISSED.

William Fauver
Administrative Law Judge