

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

1730 K STREET NW, 6TH FLOOR  
WASHINGTON, D.C. 20006

May 30, 1989

SECRETARY OF LABOR,	:	CIVIL PENALTY PROCEEDING
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA),	:	Docket No. CENT 89-2-M
Petitioner	:	A. C. No. 25-01093-05501
	:	
v.	:	Portable Dredge No. 1
	:	
L & L GRAVEL,	:	
	:	
Respondent	:	

'AMENDED ORDER OF DEFAULT

Before: Judge Merlin

This case is before me pursuant to the Commission's Order dated May 30, 1989.

At the time the original default order, dated April 20, 1989, was issued, the Solicitor had failed to advise that one of the three citations involved in his 'petition had been vacated. The assessed penalties for the,remaining two citations are \$74.

Accordingly, judgment by default is entered in favor of the Secretary and the operator is ORDERED TO PAY the sum of \$74 immediately.



Paul Merlin  
Chief Administrative Law Judge

Distribution:

Stephen G. Reynolds, Esq., Office of the Solicitor, U. S. Department of Labor, Room 2106, 911 Walnut Street, Kansas City, MO 64106 (Certified Mail)

Mr. Lewis L. Herbough, L & L Gravel, Box 585, Valentine, NE 69201 (Certified Mail)

/gl