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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. WEST 88-122  
A.C. No. 05-00301-03630

v.

Dutch Creek No. 1 Mine

MID-CONTINENT RESOURCES, INC.,  
RESPONDENT

DECISION APPROVING SETTLEMENT

Before: Judge Lasher

Upon Petitioner's motion for approval of a proposed settlement of the 7 Orders involved, and the same appearing proper and fully supported in the record the settlement is approved.

A summary of the agreement reached follows:

Order No.	Proposed Penalty	Amended Proposed Penalty
2503875	\$1,100.00	\$ 660.00
2503876	1,300.00	780.00
2503877	1,100.00	660.00
2503878	1,300.00	810.00
2503879	1,000.00	600.00
2503880	1,100.00	660.00
2334839	1,100.00	660.00

As part of the overall settlement, Mid-Continent agrees to withdraw all defenses in all pending cases, specifically as to the "MSHA enforcement abuse" issue.

Respondent, if it has not previously done so, is ordered to pay to the Secretary of Labor on or before August 1, 1989, the sum of \$4,830.00.

Michael A. Lasher, Jr.  
Administrative Law Judge