

CCASE:  
METTIKI COAL V. SOL (MSHA)  
DDATE:  
19900112  
TTEXT:

Federal Mine Safety and Health Review Commission (F.M.S.H.R.C.)  
Office of Administrative Law Judges

METTIKI COAL CORPORATION,  
CONTESTANT

v.

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

CONTEST PROCEEDING

Docket No. YORK 89-12-R  
Citation No. 3110113; 11/1/88

Mettiki Mine

Mine ID 18-00621

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

v.

METTIKI COAL COMPANY,  
RESPONDENT

CIVIL PENALTY PROCEEDING

Docket No. YORK 89-16  
A. C. No. 18-00621-03655

Mettiki Mine

DECISION

Appearances: Judith L Horowitz, Esq., Office of the Solicitor,  
U.S. Department of Labor, Philadelphia, PA  
for the Secretary;

Susan Chetlin, Esq., Crowell and Moring,  
Washington, D.C., for the Respondent.

Before: Judge Fauver

At the hearing of this case, the parties proposed a settlement of Order No. 2709745. That settlement was approved, and the penalty amount will be included in the Order below. With respect to Citation No. 3110113, the parties proposed as a settlement, modification of the citation to delete the allegation of a significant and substantial violation and to have the penalty set by the judge. Tr. 785-786.1 Having considered the representations and documentation submitted, I approve the settlement and assess a civil penalty of \$100 for this violation.

