

CCASE:
MSHA V. CAL. LIGHTWEIGHT PUMICE
DDATE:
19900530
TTEXT:

FEDERAL MINE SAFETY & HEALTH REVIEW COMMISSION
DENVER, COLORADO
May 30, 1990

SECRETARY OF LABOR, MINE SAFETY AND HEALTH ADMINISTRATION (MSHA), Petitioner	CIVIL PENALTY PROCEEDING Docket No. WEST 89-317-M A.C. No. 04-04602-05515
v.	Docket No. WEST 89-360-M A.C. No. 04-04602-05516
CALIFORNIA LIGHTWEIGHT PUMICE, INC., Respondent	Docket No. WEST 89-394-M A.C. No. 04-04602-05520 Docket No. WEST 90-21-M A.C. No. 04-04602-05521 Battle Mountain

MOTION TO AMEND DECISION

Comes now John J. Morris, Administrative Law Judge, pursuant to Commission Rule 65(c), 29 C.F.R. 2700.65(c), and states as follows'

1. The decision herein was issued on May 4, 1990, and the Commission has not directed the decision for review.
2. On May 21, 1990, petitioner moved that the decision be amended to include in WEST 89-317-M the settlement of Citation No. 3069865 and the penalty therefor of \$400.00.
3. Petitioner states the said citation was omitted due to inadvertent clerical error.
4. Petitioner alleges respondent has stipulated to the correction of this omission. Further, the judge notes that the correction in this motion follows the disposition of the other 17 citations.
5. An amended decision is attached which incorporates Citation No. 3069865 with a penalty of \$400. The total adjusted penalty is \$5,768.00.

John J. Morris
Administrative Law Judge