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FEDERAL MINE SAFETY & HEALTH REVIEW COMMISSION  
WASHINGTON, D.C.  
June 13, 1990

SECRETARY OF LABOR, MINE SAFETY AND HEALTH ADMINISTRATION (MSHA), Petitioner	CIVIL PENALTY PROCEEDING  Docket No. CENT 89-161-M A. C. No. 41-03014-05507
v.	Nunneley Quarry

J. R. THOMPSON INCORPORATED,  
Respondent

ORDER VACATING DEFAULT  
ORDER APPROVING SETTLEMENT  
ORDER To PAY

Before: Judge Merlin

This matter is before me pursuant to Order of the Commission dated June 12, 1990.

Upon review of the file I determine that sufficient grounds exist to grant relief from the default. Accordingly, it is ORDERED that the default dated February 6, 1990, be and is hereby VACATED.

Upon review of the proposed settlement agreement I determine that the settlement amounts are appropriate and that the suggested mode of payment is reasonable. The Solicitor has orally advised that the operator is making payments in accordance with the settlement agreement. Accordingly, it is ORDERED that the proposed settlement agreement in all respects be and is hereby APPROVED.

It is further ORDERED that the operator continue to make payments in accordance with the settlement agreement until the entire sum due is paid.

Paul Merlin  
Chief Administrative-Law Judge