

CCASE:  
SOL (MSHA) v. CONSOLIDATION COAL  
DDATE:  
19910123  
TTEXT:

Federal Mine Safety and Health Review Commission  
Office of Administrative Law Judges  
2 Skyline, 10th Floor  
5203 Leesburge Pike  
Falls Church, Virginia 22041

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

CIVIL PENALTY PROCEEDING

Docket No. WEVA 90-302  
A.C. No. 46-01318-03959

v.

Robinson Run No. 95 Mine

CONSOLIDATION COAL COMPANY,  
RESPONDENT

DECISION APPROVING SETTLEMENT

Appearances: Wanda Johnson, Esq., U.S. Department of Labor,  
Office of the Solicitor, Arlington, VA, for the  
Petitioner;  
Walter J. Scheller, III, Esq., Consolidation Coal  
Co., Pittsburgh, PA 15241, for the Respondent.

Before: Judge Melick

This case is before me upon a petition for assessment of  
civil penalty under section 105(d) of the Federal Mine Safety and  
Health Act of 1977 (the Act). At the hearing, the parties filed a  
motion to approve a settlement agreement and to dismiss the case.  
Respondent has agreed to pay the proposed penalty of \$3,504 in  
full. I have considered the representations and documentation  
submitted in this case, and I conclude that the proffered  
settlement is appropriate under the criteria set forth in section  
110(i) of the Act.

WHEREFORE, the motion for approval of settlement is GRANTED,  
and it is ORDERED that respondent pay a penalty of \$3504 within  
30 days of this order.

Gary Melick  
Administrative Law Judge