

CCASE:
SOL (MSHA) v. TRANSIT MIXED CONCRETE
DDATE:
19910311
TTEXT:

Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges
The Federal Building
Room 280, 1244 Speer Boulding
Denver, CO 80204

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

v.

TRANSIT MIXED CONCRET E COMPANY,
RESPONDENT

CIVIL PENALTY PROCEEDING

Docket No. WEST 90-72-M
A.C. No. 04-01695-05515

Azusa Plant

DECISION APPROVING SETTLEMENT AFTER REMAND

Before: Judge Morris

On February 7, 1991, the Commission remanded the above case.

The record discloses a Decision Approving Settlement was entered on October 11, 1990. However, the decision on said date did not include the agreed settlement of Citation No. 3466442 for the proposed civil penalty of \$600.

After the order of remand, the Judge advised the parties he would issue a decision approving their agreement and reaffirming the disposition entered on October 11, 1991. No objection was filed to the entry of such an order.

Accordingly, I enter the following:

ORDER

1. The settlement is APPROVED.
2. Citation No. 3466442 and the proposed penalty of \$600 are AFFIRMED.
3. The decision approving the settlement entered October 11, 1990, is REAFFIRMED.

John J. Morris
Administrative Law Judge