

CCASE:
SOL (MSHA) v. J B D MINING
DDATE:
19910419
TTEXT:

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

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

v.

J B D MINING COMPANY, INC.,
RESPONDENT

CIVIL PENALTY PROCEEDING

Docket No. KENT 90-107
A.C. No. 15-16508-03516

Harlan Mine No. 1

DECISION

Appearances: Thomas A. Grooms, Esq., Office of the Solicitor,
U.S. Department of Labor, Nashville, Tennessee,
for the Petitioner;
Mr. Jefferson B. Davis, President, J B F Mining
Company, Inc., Pathfork, Kentucky, for the
Respondent.

Before: Judge Fauver

This case for civil penalties under 110(i) of the Federal
Mine Safety and Health Act of 1977, 30 U.S.C. 801 et seq., came
on for hearing in Kingsport, Tennessee, on March 12, 1991. At the
conclusion of the submission of evidence, the parties moved for
approval of a settlement. For the reasons stated on the record,
the motion was granted. This decision confirms the bench
decision.

ORDER

WHEREFORE IT IS ORDERED that:

1. The 104(a) citations and 104(b) orders involved in
this proceeding are each AFFIRMED.
2. Respondent shall pay the approved civil penalties of
\$1,620.00 within 30 days of the date of this decision.

William Fauver
Administrative Law Judge