

CCASE:
SOL (MSHA) v. RANDY COAL
DDATE:
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TTEXT:

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

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

CIVIL PENALTY PROCEEDING

Docket No. PENN 90-80
A.C. No. 36-07630-03503

v.

Mine Hill Strip

RANDY COAL COMPANY,
RESPONDENT

DECISION APPROVING SETTLEMENT

Before: Judge Koutras

The petitioner has filed a motion pursuant to Commission Rule 30, 29 C.F.R. 2700.30, seeking approval of a proposed settlement of this matter. The initial proposed civil penalty assessment for the contested violation is \$98, and the respondent has agreed to settle the matter by paying a civil penalty assessment of \$78. In support of the proposed settlement, the petitioner has submitted information pertaining to the six statutory civil penalty assessment criteria found in section 110(i) of the Act, a discussion of the violation in question, and a reasonable justification for the reduction of the initial proposed civil penalty assessment. I conclude and find that the proposed settlement is reasonable and in the public interest. The motion IS GRANTED, and the settlement IS APPROVED.

ORDER

The respondent IS ORDERED to pay a civil penalty assessment in the amount of \$78 in satisfaction of the violation in question. Payment is to be made to MSHA within thirty (30) days of the date of this decision and order, and upon receipt of payment, this matter is dismissed.

George A. Koutras
Administrative Law Judge