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SOL (MSHA) v. FEATHERLITE
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Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges
The Federal Building
Room 280, 1244 Speer Boulevard
Denver, CO 80204

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

CIVIL PENALTY PROCEEDING

Docket No. CENT 89-36-M
A.C. No. 41-00267-05520

v.

Laura Todd Pit and Plant

FEATHERLITE BUILDING PRODUCTS
CORPORATION,
RESPONDENT

AMENDMENT TO CORRECT CLERICAL ERROR IN DECISION

Before: Judge Cetti

The decision dated December 13, 1990, at 12 FMSHRC 2580 (Dec. 1990) is AMENDED to approve the penalties assessed by MSHA for three citations that were accepted and paid by Respondent without formal litigation or approval.

The Parties, through their respective representatives, have now filed and requested approval of a settlement agreement pursuant to Section 110(k) of the Federal Mine Safety and Health Act of 1977, 83 Stat. 742, 30 U.S.C. 801-960, (the Act). The parties by their settlement agreement seek a formal order approving the full amount of the penalties assessed by MSHA and paid by Respondent as follows:

Citation No.	Standard 30 C.F.R.	Assessment	Disposition Settlement
03276702	56.12032	\$ 276	\$ 276
03276704	56.12032	\$ 276	\$ 276
03276459	56.12016	\$1000	\$1000

I have reviewed these three citations in light of the six statutory criteria set forth in Section 110(i) of the Act, 30 U.S.C. 810(i), and find that the penalties assessed are in accordance with the provisions of the Act.

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Accordingly, I approve the above-mentioned penalty assessments and, the operator having paid, these penalties in addition to the \$7,000 penalty assessed for the other three citations that were fully litigated, this case is and remains DISMISSED.

August F. Cetti
Administrative Law Judge