

CCASE:
SOL (MSHA) v. ZEIGLER COAL
DDATE:
19920214
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.

ZEIGLER COAL COMPANY,
RESPONDENT

CIVIL PENALTY PROCEEDING

Docket No. LAKE 91-683
A.C. No. 11-00612-03556

Spartan Mine

SUMMARY DECISION

Appearances: Rafael Alvarez, Esq., Office of the Solicitor, U.S.
Department of Labor, Chicago, Illinois for
Petitioner;
Gregory S. Keltner, Esq., Old Ben Coal Company,
Fairview Heights, Illinois for Respondent.

Before: Judge Weisberger

The Secretary's Motion for Summary Decision regarding
Citation No. 3847637 is GRANTED. The other citations included in
this Docket number were disposed of in an Order issued January
15, 1992.

It is ORDERED that Citation No. 3847637 be affirmed as a
violation of 30 C.F.R. 75.316 consistent with the Decision of
Judge Koutras in Docket No. LAKE 91-635 issued January 24, 1992.

Avram Weisberger
Administrative Law Judge