

CCASE:
MSHA V. WASTE COAL MANAGEMENT
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FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

OFFICE OF ADMINISTRATIVE LAW JUDGES
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SECRETARY OF LABOR,	:	CIVIL PENALTY PROCEEDING
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA),	:	Docket No. KENT 91-75
Petitioner	:	A. C. No. 15-16323-03514
v.	:	
	:	Black Mountain Mine
WASTE COAL MANAGEMENT, INC.,	:	
Respondent	:	

DECISION APPROVING SETTLEMENT

Before: Judge Maurer

This case is before me upon a petition for assessment of civil penalty under section 105(d) of the Federal Mine Safety and Health Act of 1977 (the Act). The parties have filed a joint motion to approve a settlement agreement and to dismiss the case. A reduction in penalty from \$273 to \$70 is proposed. I have considered the representations and documentation submitted in this case, and I conclude that the proffered settlement is appropriate under the criteria set forth in section 110(i) of the Act.

WHEREFORE, the motion for approval of settlement is GRANTED, and it is ORDERED that respondent pay a penalty of \$70 within 30 days of this order.

Roy J. Maurer
Administrative Law Judge

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