

CCASE:
SOL (MSHA) V. MONTANA RESOURCES
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SECRETARY OF LABOR,	:	CIVIL PENALTY PROCEEDING
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA),	:	Docket No. WEST 92-686-M
Petitioner	:	A. C. No. 24-00338-05533
	:	
v.	:	
	:	
	:	
MONTANA RESOURCES,	:	Continental

ORDER ACCEPTING LATE FILING
DECISION APPROVING SETTLEMENT
ORDER TO PAY

Before: Judge Merlin

The Solicitor's unopposed motion to accept late filing of the penalty petition is GRANTED. Salt Lake County Road Department, 3 FMSHRC 1714 (1981).

The Solicitor has filed a motion to approve settlement of the one violation involved in this matter. The originally assessed amount was \$431 and the proposed settlement is for \$431. An electrical conduit on the side of the conveyor belt was broken exposing employees to possible electrical shock. Upon review, I find that \$431 is an appropriate penalty for this serious violation and that it is in accordance with the six statutory criteria set forth in section 110(i) of the Act.

Accordingly, the recommended settlement is APPROVED and the operator is ORDERED TO PAY \$431 within 30 days of the date of this decision.

Paul Merlin
Chief Administrative Law Judge

Distribution: (Certified Mail)

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