

CCASE:
SOL (MSHA) V. JAMES KOSIBA
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SECRETARY OF LABOR,	:	CIVIL PENALTY PROCEEDING
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA),	:	Docket No.LAKE 92-454-M
Petitioner	:	A. C. No. 12-00087-05513A
	:	
v.	:	
	:	
	:	
JAMES KOSIBA, Employed by	:	
Rensselaer Stone Co. Inc.,	:	Limestone Mine
Respondent	:	

DECISION APPROVING SETTLEMENT

Before: Judge Merlin

The Solicitor has filed a motion to approve settlement of the one violation involved in this matter. The originally assessed amount was \$500 and the proposed settlement is for \$500. Overload protection was not provided for the electrical circuit supplying power to the main power control center for the crushing plant. Upon review I find that \$500 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 respondent having paid, this matter is DISMISSED.

Paul Merlin
Chief Administrative Law Judge

Distribution: (Certified Mail)

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