

CCASE:
SOL (MSHA) V. RAMBLIN COAL
DDATE:
19930609
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,	:	CIVIL PENALTY PROCEEDING
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA),	:	Docket No. KENT 90-429
Petitioner	:	A.C. No. 15-16685-03510
v.	:	
	:	Docket No. KENT 90-430
RAMBLIN COAL COMPANY, INC.,	:	A.C. No. 15-16685-03511
Respondent	:	
	:	No. 8 Mine

ORDER OF DISMISSAL

The Secretary has moved to dismiss the part of these cases remanded by Order of February 2, 1993, on the ground that the remanded citations are now moot. The civil penalties were recalculated, not contested by the operator, and therefore became a final order of the Commission under 29 C.F.R. 2700.27.

The decision of June 22, 1992, disposing of the citations not remanded to the Secretary stands.

All citations thus being disposed of, it is ORDERED that the motion to dismiss is GRANTED and these cases are DISMISSED.

William Fauver
Administrative Law Judge

Distribution:

Joseph B. Luckett, Esq., Office of the Solicitor, U.S. Department of Labor, 2002 Richard Jones Road, Suite B-201, Nashville, TN 37215 (Certified Mail)

Billy R. Shelton, Esq., Baird, Baird, Baird and Jones, P. O. Box 351, Pikeville, KY 41501 (Certified Mail)

/fcc