

CCASE:  
SOL (MSHA) V. C. G. & G TRUCKING  
DDATE:  
19930708  
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 92-574  
Petitioner : A.C. No. 15-16567-03501 EHB  
:  
v. : MINE: No. 2 TIPPLE  
:  
C G & G TRUCKING COMPANY, :  
Respondent :

DECISION APPROVING SETTLEMENT

Before Judge Amchan:

This case is before me upon a petition for assessment of civil penalty under 105(d) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. 801 et seq. The parties have filed a motion to approve a settlement agreement and to dismiss the case. The terms of the agreement are as follows:

Citation	Standard	Proposed Penalty	Settlement
3215760	77.1607(a)(a)	\$400	\$100*

\*The citation has also been recharacterized as "non-significant and substantial."

I have considered the representations and documentation submitted and I conclude that the proffered settlement is consistent with the criteria in 110(i) of the Act.

ORDER

WHEREFORE IT IS ORDERED that the motion for approval of settlement is GRANTED and Respondent shall pay the approved penalties of \$100 within 30 days of this decision. Upon such payment this case is DISMISSED.

Arthur J. Amchan  
Administrative Law Judge  
(703) 756-4572

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Distribution:

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