

CCASE:  
SOL (MSHA) V. BELL COUNTY COAL  
DDATE:  
19930913  
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 93-376  
Petitioner : A.C. No. 15-09568-03607  
v. :  
: Stone Mine No. 2  
BELL COUNTY COAL CORPORATION, :  
Respondent :

DECISION APPROVING SETTLEMENT

Appearances: Thomas A. Grooms, Esquire, Office of the  
Solicitor, U.S. Department of Labor, Nashville,  
Tennessee, for Petitioner;  
Gary G. Thompson, Safety Coordinator, Bell County  
Coal Corporation, Middlesboro, Kentucky, for  
Respondent

Before: Judge Melick

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). At hearing, Petitioner filed  
a motion to approve a settlement agreement and to dismiss the  
case. Respondent has agreed to pay the proposed penalty of  
\$1,400 in full. 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 a approval of settlement is  
GRANTED and it is ORDERED that Respondent pay a penalty of  
\$1,400 within 30 days of this order.

Gary Melick  
Administrative Law Judge

Distribution:

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