

CCASE:
SOL (MSHA) V. A-1 GRIT COMPANY
DDATE:
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TTEXT:

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION
1244 SPEER BOULEVARD #280
DENVER, CO 80204-3582
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September 20, 1993

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| SECRETARY OF LABOR, | : | CIVIL PENALTY PROCEEDING |
| MINE SAFETY AND HEALTH | : | |
| ADMINISTRATION (MSHA), | : | Docket No. WEST 92-527-M |
| Petitioner | : | A.C. No. 04-04963-05521 |
| | : | |
| v. | : | |
| | : | A-1 Grit Irwindale |
| A-1 GRIT COMPANY, | : | |
| Respondent | : | |

DECISION APPROVING SETTLEMENT

Before: Judge Morris

This case is before me upon a petition for assessment of the civil penalty under Section 105(d) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. 801, et seq. (the "Act").

The Secretary filed a motion seeking to settle the four citations, originally assessed for \$942.00 for the sum of \$754.00.

In support of the motion, the Secretary further submitted information relating to the statutory criteria for assessing civil penalties as contained in 30 U.S.C. 820(i).

I have reviewed the settlement and I find it is reasonable and in the public interest. It should be approved.

Accordingly, I enter the following:

ORDER

1. The settlement is APPROVED.
2. The citations and the amended penalties are AFFIRMED.
3. Respondent is ORDERED TO PAY to the Secretary of Labor the sum of \$754.00 within 30 days of the date of this decision.

John J. Morris
Administrative Law Judge

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Distribution:

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