

CCASE:
SOL (MSHA) V. NEW HOPE OF KENTUCKY
DDATE:
19931124
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 PROCEEDINGS
MINE SAFETY AND HEALTH :
ADMINISTRATION (MSHA), : Docket No. KENT 93-487
Petitioner : A. C. No. 15-16708-03569
v. :
: Docket No. KENT 93-488
NEW HOPE OF KENTUCKY, INC., : A. C. No. 15-16708-03570
Respondent :
: Docket No. KENT 93-489
: A. C. No. 15-16708-03571
:
: No. 1 Mine

DECISION APPROVING SETTLEMENT

Appearances: Thomas A. Grooms, Esq., Office of the Solicitor,
U. S. Department of Labor, Nashville, Tennessee,
for the Secretary;
Mr. Reece Lemar, New Hope of Kentucky, Inc., for
Respondent.

Before: Judge Maurer

These cases are before me upon a petition for assessment of
civil penalties under section 105(d) of the Federal Mine Safety
and Health Act of 1977 (the Act). An evidentiary hearing in
these matters was held on October 21, 1993, in London, Kentucky.
At the conclusion of that hearing, the parties filed a motion to
approve a settlement agreement and to dismiss these cases.

The citations, initial assessments, and the proposed
settlement amounts are as follows:

CITATION/ ORDER NO.	PROPOSED ASSESSMENT	PROPOSED SETTLEMENT
KENT 93-487		
9885241	\$ 500	\$ 100
KENT 93-488		
3828487	136	136
3828488	147	147
3828490	220	170

