

CCASE:
SOL (MSHA) V. TEXAS GRAVEL
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FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

OFFICE OF ADMINISTRATIVE LAW JUDGES
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FALLS CHURCH, VIRGINIA 22041

SECRETARY OF LABOR, : CIVIL PENALTY PROCEEDINGS
MINE SAFETY AND HEALTH :
ADMINISTRATION (MSHA), : Docket No. CENT 93-103-M
Petitioner : A. C. No. 41-03595-05510
v. :
 : Docket No. CENT 93-104-M
TEXAS GRAVEL INCORPORATED, : A. C. No. 41-03595-05511
Respondent :
 : Texas Gravel, Inc.

DECISION APPROVING SETTLEMENT

Before: Judge Weisberger

This case involves a petition for assessment of a civil penalty under Section 105(d) of the Federal Mine Safety and Health Act of 1977 (the Act). Petitioner has filed a Motion to approve a settlement agreement and to dismiss the case. A reduction in penalty from \$2,372 to \$1,100 is proposed. 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 Approval of Settlement is GRANTED, and it is ORDERED that Respondent pay a penalty of \$1,100 within 30 days of this Order.

Avram Weisberger
Administrative Law Judge

Distribution:

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