

CCASE:
SOL (MSHA) V. BROKEN HILL MINING
DDATE:
19940317
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 93-410
Petitioner	:	A. C. No. 15-14959-03548
v.	:	
	:	Docket No. KENT 93-550
BROKEN HILL MINING COMPANY, INC.,	:	A. C. No. 15-14959-03549
Respondent	:	
	:	Docket No. KENT 93-633
	:	A. C. No. 15-14959-03550
	:	
	:	Mine No. 3
	:	
	:	Docket No. KENT 93-634
	:	A. C. No. 15-15637-03547
	:	
	:	Mine No. 1

DEFAULT DECISION

Before: Judge Weisberger

On November 19, 1993, a Show Cause Order was issued which provided, inter alia as follows:

Therefore, it is ORDERED that by November 30, 1993, Respondent shall either contact Petitioner to discuss settlement and file a statement complying with the terms of the prehearing order, or show cause why it has not complied with the prehearing order. It is further ordered that if Respondent fails to comply with this order, a default decision will be entered ordering Respondent to pay the full assessed amounts in these cases.

To date Respondent has not complied with this order.
(Footnote 1)

1 On January 24, 1994, an Answers were received from Respondent, which had already been filed on July 28, 1993. These Answers do not comply with the show cause order.

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According, it is ordered that a default decision be entered in these cases in favor of the Secretary. It is further Ordered that Respondent pay a civil penalty of \$1,829 within 30 days of this decision.

Avram Weisberger
Administrative Law Judge

Distribution:

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