

CCASE:
SOL (MSHA) V. LARRY ADDAIR
DDATE:
19940413
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. VA 93-87
Petitioner : A.C. No. 44-05395-03568-A
:
v. : Mine No. 2
LARRY ADDAIR, EMPLOYED BY :
JAMB MINING INCORPORATED, :
Respondent :

DECISION APPROVING SETTLEMENT

Before: Judge Fauver

This case involves a petition for assessment of civil penalties under 105(d) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. 801 et seq. Petitioner has filed a motion to approve a settlement agreement and to dismiss the case. I have considered the representations and documentation submitted and I conclude that the proffered settlement is consistent with the criteria in 110(i) of the Act.

ORDER

WHEREFORE IT IS ORDERED that the motion for approval of settlement is GRANTED and Respondent shall pay the approved penalties of \$400.00 in four monthly installments of \$100.00 each beginning May 15, 1994.

William Fauver
Administrative Law Judge

Distribution:

Robert A. Cohen, Esq., Office of the Solicitor, U.S. Department of Labor, 4015 Wilson Boulevard, Room 400, Arlington, VA 22203 (Certified Mail)

Larry Addair, P.O. Box 990, Castlewood, VA 24224 (Certified Mail)