

CCASE:
SOL (MSHA) V. BEECH FORK PROCESSING
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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. KENT 93-406
Petitioner : A. C. No. 15-16162-03576
v. :
: No. 1 Mine
BEECH FORK PROCESSING, INC., :
Respondent :

DECISION APPROVING SETTLEMENT

Before: Judge Hodgdon

This case is before me on a petition for assessment of civil penalty under Section 105(d) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. 815(d). The parties have filed a motion to approve a settlement agreement. A reduction in penalty from \$4,547.00 to \$3,692.00 is proposed. Having considered the representations and documentation submitted, I conclude that the proffered settlement is appropriate under the criteria set forth in Section 110(i) of the Act, 30 U.S.C. 820(i).

Accordingly, the motion for approval of settlement is GRANTED and it is ORDERED that Respondent pay a penalty of \$3,692.00 within 30 days of the date of this order. On receipt of payment, this case is DISMISSED.

T. Todd Hodgdon
Administrative Law Judge

Distribution:

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