

CCASE:
SOL (MSHA) V. FORT UNION
DDATE:
19940804
TTEXT:

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 PROCEEDING
MINE SAFETY AND HEALTH :
ADMINISTRATION (MSHA), : Docket No. WEST 94-120
Petitioner : A.C. No. 48-01248-03520
v. :
 : Fort Union Coal Mine
 :
FORT UNION, LTD. :
Respondent :

DECISION APPROVING SETTLEMENT

Before: Judge Amchan

This case is before me upon petition for assessment of a civil penalty under section 105(d) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. sections 801 et seq. Petitioner has filed a motion to approve a settlement agreement and to dismiss the case. Respondent has informed the undersigned that it has no objection to my approving this agreement. The terms of the settlement are that the penalty for citation 3409185 is reduced from \$3,000 to \$1,200.

I have considered the representations and documentation submitted and I conclude that the proffered settlement is consistent with the criteria in section 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 penalty within 30 days of this decision. Upon such payment this case is DISMISSED.

Arthur J. Amchan
Administrative Law Judge
703-756-6210

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Distribution:

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