

CCASE:
SOL (MSHA) V. BROKEN HILL MINING
DDATE:
19940915
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

DECISION APPROVING SETTLEMENT

Before: Judge Weisberger

These cases are before me upon a petition for assessment of civil penalty under Section 105(d) of the Federal Mine Safety and Health Act of 1977 (the Act). Petitioner has filed a Joint Motion to Approve a Settlement agreement and to dismiss the case. A reduction in penalty from \$1659 to \$1496 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 \$1496 within 30 days of this Order.

Avram Weisberger
Administrative Law Judge

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Distribution:

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