

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

OFFICE OF ADMINISTRATIVE LAW JUDGES  
2 SKYLINE, 10th FLOOR  
5203 LEESBURG PIKE  
FALLS CHURCH, VIRGINIA 22041

June 10, 1997

SECRETARY OF LABOR,	:	CIVIL PENALTY PROCEEDINGS
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA),	:	Docket No. CENT 96-10-M
Petitioner	:	A.C. No. 39-01328-05519
v.	:	
	:	Docket No. CENT 96-31-M
BOB BAK CONSTRUCTION,	:	A.C. No. 39-01328-05520
COMPANY,	:	
Respondent	:	Docket No. CENT 96-60-M
	:	A.C. No. 39-01328-05521
	:	
	:	Docket No. CENT 96-61-M
	:	A.C. No. 39-01328-05522
	:	
	:	Docket No. CENT 96-85-M
	:	A.C. No. 39-01328-05523
	:	
	:	Docket No. CENT 96-99-M
	:	A.C. No. 39-01328-05524
	:	
	:	Docket No. CENT 96-116-M
	:	A.C. No. 39-01328-05525
	:	
	:	Docket No. CENT 96-117-M
	:	A.C. No. 39-01328-05526
	:	
	:	Crusher No. 3 Mine

**DECISION ON REMAND**

These are consolidated civil penalty cases under section 105(d) of the Federal Mine Safety and Health Act of 1997, 30 U.S.C. ' 801 et seq.

The parties have moved for approval of a schedule of payments to pay the civil penalties of \$16,266 assessed in these cases. The motion is **GRANTED.**

Accordingly it is **ORDERED** that the civil penalties of \$16,266 shall be paid as follows: Commencing on October 1, 1997, a payment of \$678 shall be made on the first day of each month for 23 consecutive months, and on the first day of the 24<sup>th</sup> month a payment of \$672 shall be made, for a total of \$16,266. Provided: If Respondent fails to make any monthly payment when due, the total remaining civil penalties shall become due, with interest accruing from that date until the full amount is paid. The applicable interest rate will be that announced by the Executive Director of the Commission.

This Order constitutes the Judge's final disposition of issues in these cases.

William Fauver  
Administrative Law Judge

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