

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

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

June 20, 2000

REINTJES OF THE SOUTH, INC.	:	CONTEST PROCEEDINGS
Contestant	:	
	:	Docket No. CENT 99-152-RM
v.	:	Citation No. 7867324; 01/21/99
	:	
SECRETARY OF LABOR,	:	Docket No. CENT 99-154-RM
MINE SAFETY AND HEALTH	:	Citation No. 7867336; 02/02/99
ADMINISTRATION (MSHA),	:	
Petitioner	:	Ornet Corporation
	:	Mine ID No. 16-00354 FDP
	:	
SECRETARY OF LABOR,	:	CIVIL PENALTY PROCEEDINGS
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA),	:	Docket No. CENT 99-195-M
Petitioner	:	A.C. No. 16-00354-05501 FDP
	:	
v.	:	Docket No. CENT 99-335-M
	:	A.C. No. 16-00354-05505 FDP
REINTJES OF THE SOUTH, INC.,	:	
Respondent	:	Ornet Corporation

DECISION APPROVING SETTLEMENT

Before: Judge Weisberger

The Stay Order previously issued in this case on January 6, 2000, is hereby lifted.

These cases are before me upon a petitions for assessment of civil penalty under section 105(d) of the Federal Mine Safety and Health Act of 1977 (the Act), and notices of contest filed by the operator. Petitioner has filed a motion to approve a settlement agreement and to dismiss these cases. Respondent has agreed to pay the full penalty of \$55,131.00. I have considered the representations and documentation submitted in these cases, and I conclude that the proffered settlement is acceptable 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 \$55,131.00 within 30 days of this order. It is further **ORDERED** that the parties shall abide by all the terms of the settlement.

Avram Weisberger
Administrative Law Judge

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