

**FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION**

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

June 16, 1999

SECRETARY OF LABOR,	:	DISCRIMINATION PROCEEDING
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA),	:	Docket No. LAKE 95-78-D
on behalf of RICHARD E. GLOVER	:	
and LEON KEHRER,	:	MSHA Case No. VINC CD 92-10
Complainants	:	Mine ID No. 11-00601
v.	:	
	:	
CONSOLIDATION COAL COMPANY,	:	
Respondent	:	Rend Lake Mine

**DECISION APPROVING SETTLEMENT**

Before: Judge Melick

This case is before me upon a Complaint of Discrimination and a Petition for Assessment of Civil Penalty under Sections 105(c) and 105(d) of the Federal Mine Safety and Health Act of 1977 (the Act). Petitioner has filed a motion to approve a settlement agreement and to dismiss the case. The terms of the settlement include the payment of a civil penalty of \$5,000.00 and an agreed posting at the subject mine. I have considered the representations and documentation submitted in this case, and I conclude that the proffered settlement is acceptable.

**WHEREFORE**, the motion for approval of settlement is **GRANTED**, and it is **ORDERED** that the parties comply with all the terms of the settlement within 40 days of this order. Under the circumstances this case is dismissed.

Gary Melick  
Administrative Law Judge  
703-756-6261

Distribution:

Rafael Alvarez, Esq., Office of the Solicitor, U.S. Dept. of Labor, 230 S. Dearborn St.,  
8th Floor, Chicago, IL 60604

David J. Hardy, Esq., Jackson & Kelly, P.O. Box 553, Charleston, WV 25322

Michael F. Duffy, Esq., National Mining Association, 1130 17th Street, N.W.,  
Washington, D.C. 20036

Judith Rivlin, Esq., United Mine Workers of America, 900 Fifteenth Street, N.W.,  
Washington, D.C. 20005

\mca