

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

OFFICE OF ADMINISTRATIVE LAW JUDGES
2 SKYLINE, Suite 1000
5203 LEESBURG PIKE
FALLS CHURCH, VIRGINIA 22041

October 16, 2001

SECRETARY OF LABOR,	:	CIVIL PENALTY PROCEEDINGS
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA),	:	Docket No. WEST 2000-44-M
Petitioner	:	A. C. No. 45-03086-05512
v.	:	
	:	Docket No. WEST 2000-149-M
ALAN LEE GOOD, an individual doing	:	A. C. No. 45-03086-05513
business as GOOD CONSTRUCTION,	:	
Respondent	:	Good Portable Crusher

ORDER OF DISMISSAL

Before: Judge Melick

These Civil Penalty Proceedings are before me upon remand by the Commission to determine whether Respondent had adequate notice of the Secretary's interpretation of the standard at 30 C.F.R. § 56.14107(a) with respect to Citation Nos. 7974337, 7974340, 7974341, 7974342 and 7974343. The Secretary has now vacated these citations. Accordingly these proceedings have been rendered moot and, under the circumstances, are dismissed as to the issues on remand.

Gary Melick
Administrative Law Judge

Distribution:

William W. Kates, Esq., Office of the Solicitor, U.S. Dept. of Labor, 1111 Third Avenue, Suite 945, Seattle, WA 98101-3212

James A. Nelson, Esq., Attorney at Law, 205 Cowlitz, P.O. Box 878, Toledo, WA 98591

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