





~1469

The company argues that by equipping its mine cars with operable uncoupling devices on the wide side, it complied with the standard. We disagree. The purpose of the standard is to prevent miners who must couple and uncouple haulage equipment from subjecting themselves to injury by going between the ends of haulage cars. This purpose is best effectuated by requiring that all uncoupling devices be maintained in operable condition. An inoperable device might induce a miner to go between the ends of the haulage equipment to attempt manual uncoupling. Here, a miner died going between the ends of the haulage cars after unsuccessfully attempting to use an inoperable device. The standard is designed to prevent exactly this type of accident. The judge properly interpreted 30 CFR 75.1405, and his finding of a violation is affirmed.

The company also contests the penalty assessed as excessive. We have reviewed the company's arguments in this regard and find them without merit. We conclude that the penalty assessed for the violation was reasonable and in accord with the statutory criteria specified in the Act.

Accordingly, the decision of the judge is affirmed.