

CCASE:
MSHA V. FREEMAN UNITED COAL MINING
DDATE:
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FEDERAL MINE SAFETY & HEALTH REVIEW COMMISSION
WASHINGTON, D.C.
December 12, 1979

SECRETARY OF LABOR,
MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA),
Petitioner

v. Docket No. VINC 78-395-P

FREEMAN UNITED COAL MINING
COMPANY
Respondent

DECISION

The decision of the administrative law judge is reversed insofar as he dismissed the Secretary of Labor's petition for assessment of a penalty for an alleged violation of 30 CFR §75.400. The case is remanded for further proceedings consistent with our opinion in Old Ben Coal Co., No. VINC 74-11 (December 12, 1979).