CCASE: MSHA V. ALLIED CHEMICAL DDATE: 19820520 TTEXT: FEDERAL MINE SAFETY & HEALTH REVIEW COMMISSION WASHINGTON, D.C. May 20, 1982 SECRETARY OF LABOR, MINE SAFETY AND HEALTH ADMINISTRATION (MSHA), on behalf of Arnold J. Sparks, Jr.

v.

Docket No. WEVA 79-148-D

## ALLIED CHEMICAL CORPORATION

## ORDER

On February 23, 1982, the United States Court of Appeals for the D.C. Circuit issued its decision in this case reversing the decision of the Commission and remanding for further proceedings. UMWA v. FMSHRC, Nos. 79-2503, etc., D.C. Cir. (consolidated cases). Accordingly, we remand to the administrative law judge for further proceedings consistent with the court's decision. ~875 Allied Chemical WEVA 79-148-D Distribution Ann S. Rosenthal, Esq. Office of the Solicitor U.S. Department of Labor 4015 Wilson Blvd. Arlington, Virginia 22203 Marshall C. Spradling, Esq. Spillman, Thomas, Battle & Klostermeyer P.0. Box 273 Charleston, West Va. 25321 Harrison Combs, Esq. **UMWA** 900 15th St., N.W. Washington, D.C. 20005 Administrative Law Judge Joseph Kennedy **FMSHRC** 5203 Leesburg Pike, 10th Floor Falls Church, Virginia 22041