

CCASE:  
RIVCO DREDGING V. MSHA  
DDATE:  
19880606  
TTEXT:  
FMSHRC-WDC  
June 6, 1988  
RIVCO DREDGING CORPORATION  
v.

Docket Nos. KENT 88-23-R  
88-24-R  
88-25-R  
88-26-R  
88-27-R

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

BEFORE: Ford, Chairman; Doyle, Lastowka and Nelson,  
Commissioners

AMENDED ORDER

BY THE COMMISSION:

These five cases had been the subject of a Petition for Discretionary Review filed by RIVCO Dredging Corporation on May 9, 1988. On May 25, 1988, the Secretary filed a response to the same five docket numbers. On May 26, 1988 this Commission issued an order remanding the cases.

Upon remand, the administrative law judge noted that Docket No. KENT 88-27-R had become moot because the Secretary had previously vacated the citation associated with that docket; Citation No. 2985270. The judge submitted an inquiry to the Commission asking if his dismissal of KENT 88-27-R was appropriate.  
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In view of the previous vacation of Citation No. 2985270, inclusion of KENT 88-27-R in the Commission's remand order was an administrative error. Therefore the May 26, 1988 Order is amended to delete KENT 88-27-R from the matters to be considered by the judge.

Distribution

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