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UMWA V. MONUMENT MINING & ISLAND CREEK COAL
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FEDERAL MINE SAFETY & HEALTH REVIEW COMMISSION
WASHINGTON, D.C.
June 16, 1988

LOCAL UNION NO. 5817, DISTRICT 17,
UNITED MINE WORKERS OF AMERICA
(UMWA)

v.

Docket No. WEVA 85-21-C

MONUMENT MINING CORPORATION and
ISLAND CREEK COAL COMPANY

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

ORDER

BY THE COMMISSION:

On February 23, 1988, the United States Court of Appeals for the District of Columbia Circuit issued its decision in this matter, styled International Union, UMWA v. FMSHRC, 840 F.2d 77 (D.C. Cir. 1988), reversing the Commission's decision (Local Union No. 5817, District 17, UMWA v. Monument Mining Corp. and Island Creek Coal Co., 9 FMSHRC 209 (February 1987)), and remanding for further proceedings consistent with its opinion.

In accordance with the Court's order, we are obliged to remand this matter to the administrative law judge originally assigned for further proceedings including, if necessary, consideration of any remaining challenges by Island Creek Coal Company to the complaint for compensation that have not been previously waived.

Joyce A. Doyle, Commissioner

James A. Lastowka, Commissioner

