

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

1331 PENNSYLVANIA AVE., N.W., SUITE 520N
WASHINGTON, DC 20004-1710

FEB 15 2018

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

v.

WHITE COUNTY COAL, LLC

:
:
:
:
:
:
:

Docket No. LAKE 2017-0148

BEFORE: Althen, Acting Chairman; Jordan, Young, and Cohen, Commissioners

ORDER

BY THE COMMISSION:

On February 9, 2018, Administrative Law Judge Priscilla Rae requested leave of the Commission to amend her Decision Approving Settlement, issued in this proceeding on October 24, 2017, in order to correct a clerical error. Under section 113(d)(1) of the Act, the Judge's decision became a final order of the Commission 40 days after its issuance. 30 U.S.C. § 823(d)(1). However, pursuant to Commission Procedural Rule 69(c), a Judge may correct clerical errors in a final decision with leave of the Commission. 29 C.F.R. § 2700.69(c).

Upon consideration of the Judge's request, it is **GRANTED**. We reopen the case, remand the matter to the Judge, and grant her leave to correct the error as requested.




William I. Althen, Acting Chairman



Mary Lu Jordan, Commissioner



Michael G. Young, Commissioner



Robert F. Cohen, Jr., Commissioner

Distribution

**Tyler Fields, Esq.
White County Coal, LLC
1146 Monarch Street
Lexington, KY 40513**

**Eric Johnson, Esq.
U.S. Department of Labor
Office of the Solicitor
211 7th Ave North, Suite 420
Nashville, TN 37219**

**Ali A. Beydoun, Esq.
Office of the Solicitor
US Department of Labor
201 12th St. South-Suite 401
Arlington, VA 22202-5450**

**Melanie Garris
Office of Civil Penalty Compliance, MSHA
U.S. Department of Labor
201 12th Street South, Suite 401
Arlington, VA 22202-5450**

**Administrative Law Judge Priscilla Rae
Federal Mine Safety Health Review Commission
1331 Pennsylvania Avenue, NW Suite 520N
Washington, DC 20004-1710**