

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

1730 K STREET NW, 6TH FLOOR
WASHINGTON, D.C. 20006

October 30, 1995

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

v.

JIM WALTER RESOURCES, INC.

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Docket Nos. SE 94-448
SE 94-586

BEFORE: Jordan, Chairman; Doyle, Holen, and Marks, Commissioners

ORDER

BY THE COMMISSION:

Jim Walter Resources, Inc. (AJWR) has filed a Motion for Reconsideration of the Commission's October 2, 1995, denial of JWR's previously filed Petition for Discretionary Review in the above-captioned matter. Upon review of the Motion for Reconsideration, Chairman Jordan and Commissioner Marks vote to deny the motion; Commissioner Doyle and Commissioner Holen would grant the motion and issue a direction for review granting the underlying Petition for Discretionary Review. To reverse the prior action of the Commission and grant the relief requested requires the affirmative vote of a majority of participating Commissioners. Accordingly, the Motion for Reconsideration is denied.

Mary Lu Jordan, Chairman

Joyce A. Doyle, Commissioner

Arlene Holen, Commissioner

Marc Lincoln Marks, Commissioner

