

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

601 NEW JERSEY AVENUE, NW

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WASHINGTON, DC 20001

April 22, 2004

SECRETARY OF LABOR,	:	
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA)	:	Docket No. WEST 2000-168-M
	:	A.C. No. 24-02070-05503
v.	:	
	:	Docket No. WEST 2000-470-M
	:	A.C. No. 24-02070-05504
JOHN RICHARDS CONSTRUCTION	:	

BEFORE: Duffy, Chairman; Beatty, Jordan, Suboleski, and Young, Commissioners

ORDER

BY THE COMMISSION:

On October 30, 2001, the Commission received from John Richards Construction (“Richards Construction”) a request for relief from a final Commission decision. On July 23, 2002, a majority of the Commission issued an order granting the request for the limited purpose of affording the operator an opportunity to provide the Commission with information regarding the filing of its request. On August 5, 2002, the Commission received from Richards Construction the additional information. On October 1, 2002, the Commission received from the Secretary of Labor an opposition to Richards Construction’s request for relief.

Having considered the matter, we hereby deny the request for relief.

Michael F. Duffy, Chairman

Robert H. Beatty, Jr., Commissioner

Mary Lu Jordan, Commissioner

Stanley C. Suboleski, Commissioner

Michael G. Young, Commissioner

Distribution

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