

CCASE:
SOL (MSHA) V. SUSQUEHANNA-MT. CARMEL
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FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

OFFICE OF ADMINISTRATIVE LAW JUDGES
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FALLS CHURCH, VIRGINIA 22041

SECRETARY OF LABOR, : CIVIL PENALTY PROCEEDING
MINE SAFETY AND HEALTH :
ADMINISTRATION (MSHA), : Docket No. PENN 93-119
Petitioner : A. C. No. 36-08136-03511
v. :
 : Natalie Banks
 :
SUSQUEHANNA-MT. CARMEL, INC., :
Respondent :

DECISION APPROVING SETTLEMENT

Before: Judge Melick

This case is before me upon a petition for assessment of civil penalty under Section 105(d) of the Federal Mine Safety and Health Act of 1977 (the Act). Petitioner has filed a motion to approve a settlement agreement and to dismiss the case. A reduction in penalty from \$4,400 to \$1,000 is proposed. I have considered the representations and documentation submitted in this case, and I conclude that the proffered settlement is acceptable under the criteria set forth in Section 110(i) of the Act.

WHEREFORE, the motion for approval of settlement is GRANTED, and it is ORDERED that Respondent pay a penalty of \$1,000 within 30 days of this order.

The hearing scheduled for December 1, 1994 has been cancelled.

Gary Melick
Administrative Law Judge

Distribution:

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