

CCASE:
SOL (MSHA) V. JIM RESOURCES
DDATE:
19841128
TTEXT:

Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges

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

v.

JIM WALTER RESOURCES, INC.,
RESPONDENT

CIVIL PENALTY PROCEEDINGS

Docket No. SE 84-66
A.C. No. 01-01247-03585

Docket No. SE 84-67
A.C. No. 01-01247-03586

ORDER AFTER REMAND

The captioned matter has been remanded for consideration of the operator's request that the trial judge's decision approving settlement be corrected so as to reflect the fact that the motion to approve settlement related only to Docket No. 84-66.

Accordingly, it is ORDERED that the decision of October 19, 1984, approving settlement of the captioned matters be, and hereby is, AMENDED to show that only in the case of Docket No. SE 86-66 was settlement approved. It is FURTHER ORDERED that the decision approving settlement in Docket No. 84-66 be, and hereby is, CONFIRMED and that the operator pay the amount of the settlement agreed upon, \$150, on or before Friday, December 14, 1984. Finally, it is ORDERED that pursuant to the parties stipulation to waive a hearing and submit Docket No. SE 84-67 for determination on the basis of the facts stipulated, said docket be, and hereby is, severed and jurisdiction retained to decide the matter de novo.

Joseph B. Kennedy
Administrative Law Judge