

CCASE:
SOL (MSHA) V. STANDARD METALS
DDATE:
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FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES

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

CIVIL PENALTY PROCEEDINGS

Docket No. WEST 83-56-M
A.C. No. 05-00417-05508

Docket No. WEST 83-116-M
A.C. No. 05-00417-05512

V.

Docket No. WEST 84-118-M
A.C. No. 05-00417-05513

Docket No. WEST 84-60-M
A.C. No. 05-00417-05518

STANDARD METALS CORPORATION,
Respondent

Docket No. WEST 84-79-M
A.C. No. 05-00417-05523

Sunnyside Mine

AMMENDED DECISION

Appearances: James H. Barkley, Esq., Office of the Solicitor,
U.S. Department of Labor, Denver, Colorado,
for petitioner;
Zach C. Miller, Esq., Davis, Graham & Stubbs
Denver, Colorado.

Before: Judge Carlson

The decision issued on January 4, 1985 in this consolidated case requires amendment. In Docket No. WEST 84-79-M therein, the decision purports to impose a civil penalty of \$2,000.00. As disclosed in the transcript of proceedings, that figure is in error. By settlement recited upon the record, the parties agreed that the penalty should be \$1,000.00 and this judge found that amount appropriate.

Accordingly, the decision is amended and corrected to assess a penalty of \$1,000.00 for the single citation involved in Docket No. WEST 84-79-M; and the figure for the total penalty imposed is amended and corrected to reflect \$4,672.00 rather than \$5,672.00.

SO ORDERED.

John A. Carlson
Administrative Law Judge