

CCASE:
SOL (MSHA) V. PENN COAL
DDATE:
19850109
TTEXT:

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

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

CIVIL PENALTY PROCEEDING

Docket No. PENN 84-146
A.C. No. 36-04187-03501

Penn Coal Co., Inc., Mine

PENN COAL COMPANY, INC.,
RESPONDENT

FINAL DECISION

Appearances: Janine C. Gismondi, Esq., Office of the
Solicitor, U.S. Department of Labor,
Philadelphia, Pennsylvania, for Petitioner;
Ronald Thompson, President, Penn Coal Co.,
Inc., Philipsburg, Pennsylvania, for
Respondent.

Before: Judge Kennedy

The operator having advised that it waives its right to
challenge the tentative decision in this matter entered October
26, 1984, it is ORDERED:

1. That the tentative decision be, and hereby is,
ADOPTED and CONFIRMED as the trial judge's final
disposition of this matter.
2. That the operator pay the penalty found warranted,
\$150, on or before Friday, February 1, 1985, and that
subject to payment the captioned matter be DISMISSED.

Joseph B. Kennedy
Administrative Law Judge