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SOL (MSHA) v. NINE MILE MINES
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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 PROCEEDING

Docket No. WEST 84-152-M
A.C. No. 24-01700-05503

v.

Nine Mile Mine

NINE MILE MINES, INC.,
RESPONDENT

Appearances: Margaret Miller, Esq., Office of the Solicitor,
U.S. Department of Labor, Denver, Colorado,
for Petitioner;
Barney Sanders, Esq., Nine Mile Mines, Inc.,
Park City, Utah,
for Respondent.

DECISION APPROVING SETTLEMENT

Before: Judge Lasher

The parties have reached a settlement of the single violation involved in the total sum of \$250.00. MSHA's initial assessment therefor was \$500.00.

The compromise settlement is approved since the record reveals the following:

1. The Respondent is a small gold mine (6,450 man-hours worked per annum);
2. No injuries or fatalities resulted from the violation in question;
3. Both the degree of Respondent's negligence and the gravity of the violation were initially overestimated.

ORDER

Respondent, if it has not previously done so, is ordered to pay \$250.00 to the Secretary of Labor within 30 days from the date of this decision.

Michael A. Lasher, Jr.
Administrative Law Judge