

CCASE:
SOL (MSHA) V. PYRO MINING
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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. KENT 86-40
A.C. No. 15-13881-03576

v.

Pyro No. 9 Slope

PYRO MINING COMPANY,
RESPONDENT

ORDER CORRECTING DECISION

Before: Judge Koutras

On April 15, 1987, I issued a decision approving a settlement in this case. Page 2 of the decision reflects that the parties agreed to settle Order No. 2513117, August 28, 1985, 30 C.F.R. 75.301, for the full amount of MSHA's \$2,000 proposed civil penalty assessment. However, in a subsequent telephone conference held on April 20, 1987, counsel for the parties informed me that the decision is in error in that the parties agreed to settle the alleged violation for \$1,600.

After review of the official Commission file in this matter, including the settlement motion filed by the parties, I find that the parties are correct, and that my decision with respect to the settlement approval for the violation in question is in error. Accordingly, IT IS ORDERED that my decision of April 15, 1987, be corrected by striking the figure \$2,000 under the column labeled "Settlement" on page 2, and inserting the correct figure of \$1,600 as the approved settlement amount for Order No. 2513117.

George A. Koutras
Administrative Law Judge