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SOL (MSHA) V. BLUE CIRCLE ATLANTIC
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Federal Mine Safety and Health Review Commission (F.M.S.H.R.C.)
Office of Administrative Law Judges

SECRETARY OF LABOR,
MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA),
ON BEHALF OF
MICHAEL A. CARRANO,
COMPLAINANT

DISCRIMINATION PROCEEDING
Docket No. YORK 89-47-DM
MD 88-79

v.

BLUE CIRCLE ATLANTIC, INC.,
RESPONDENT

DECISION APPROVING SETTLEMENT

This proceeding was brought by the Secretary of Labor in behalf of Michael A. Carrano, under 105(c)(2) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. 801 et seq, for certain corrective relief to undo the effects of alleged discrimination against him, and for a civil penalty for an alleged violation of 105(c) of the Act.

The parties have moved for an order approving a proposed settlement. I have considered the representations and documentation submitted and I conclude that the proffered settlement is consistent with the criteria in 105(c) and 110(i) of the Act.

ORDER

WHEREFORE IT IS ORDERED that:

1. The motion for settlement is GRANTED.
2. Respondent shall comply with all the terms of the settlement herein.
3. Respondent shall pay a civil penalty of \$400 within 30 days of this Decision.
4. Subject to full compliance with the above, this proceeding is DISMISSED.

William Fauver
Administrative Law Judge