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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),
PETITIONER

CIVIL PENALTY PROCEEDING

Docket No. WEVA 90-36
A.C. No. 46-05991-03547

v.

Docket No. WEVA 90-52
A.C. No. 46-05991-03548

BENTLEY COAL COMPANY,
RESPONDENT

Docket No. WEVA 90-159
A.C. No. 46-05991-03550

Audra No. 1 Mine

DECISION APPROVING SETTLEMENT

Before: Judge Fauver

These cases are before me upon a petition for assessment of civil penalties under section 105(d) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. 801 et seq. Petitioner has filed a motion to approve a settlement agreement and to dismiss these cases. I have considered the representations and documentation submitted and I conclude that the proffered settlement is consistent with the criteria in 110(i) of the Act.

ORDER

WHEREFORE IT IS ORDERED that the motion for approval of settlement is GRANTED and Respondent shall pay the approved penalties of \$2,500 within 30 days of this Decision. Upon such payment these proceedings are DISMISSED.

William Fauver
Administrative Law Judge