

CCASE:  
SOL (MSHA) V. LEVEL LAND MINING  
DDATE:  
19930729  
TTEXT:

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

OFFICE OF ADMINISTRATIVE LAW JUDGES  
2 SKYLINE, 10th FLOOR  
5203 LEESBURG PIKE  
FALLS CHURCH, VIRGINIA 22041

SECRETARY OF LABOR,	:	CIVIL PENALTY PROCEEDINGS
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA),	:	Docket No. WEVA 92-1038
Petitioner	:	A.C. No. 46-04383-03501KZV
	:	
v.	:	Docket No. WEVA 92-1058
	:	A.C. No. 46-04383-03502KZV
LEVEL LAND MINING CORPORATION,	:	
Respondent	:	Docket No. WEVA 92-1063
	:	A.C. No. 46-04383-03503KZV
	:	
	:	No. 4 Strip

DECISION APPROVING SETTLEMENT

Before: Judge Weisberger

These cases are before me upon petitions for assessment of civil penalty under Section 105(d) of the Federal Mine Safety and Health Act of 1977 (the Act). Petitioner has filed a motion to approve settlement agreements and to dismiss these cases. A reduction in penalty from \$317 to \$250 is proposed. I have considered the representations and documentation submitted in this case, and I conclude that the proffered settlement is appropriate under the criteria set forth in Section 110(i) of the Act.

WHEREFORE, the motion for approval of settlement is GRANTED, and it is ORDERED that Respondent pay penalty of \$250 within 30 days of this order.

Avram Weisberger  
Administrative Law Judge

Distribution:

Tina C. Mullins, Esq., Office of the Solicitor, U. S. Department of Labor, 4015 Wilson Boulevard, Room 516, Arlington, VA 22203 (Certified Mail)

Mr. Timothy A. Keeney, Level Land Mining Corporation, P.O. Box 1181, Charleston, WV 25324-1181 (Certified Mail)

nb