

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

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

September 20, 1996

SECRETARY OF LABOR,	:	CIVIL PENALTY PROCEEDING
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA),	:	Docket No. PENN 93-233
Petitioner	:	A.C. No. 36-04109-03520
v.	:	
	:	Ambrosia Tipple
AMBROSIA COAL &	:	
CONSTRUCTION COMPANY,	:	
	:	
SECRETARY OF LABOR	:	CIVIL PENALTY PROCEEDING
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA),	:	Docket No. PENN 94-15
Petitioner	:	A.C. No. 36-04109-03522 A
v.	:	
	:	Ambrosia Tipple
AMBROSIA COAL &	:	
CONSTRUCTION COMPANY	:	

ORDER ON REMAND

Before: Judge Fauver

On September 12, 1996 the Commission remanded these cases to the judge for reassessment of civil penalties.

The Secretary shall have 15 days from the date of this Order to propose the amounts of reassessed civil penalties against Ambrosia and Steen with the reasons therefor consistent with the Commission's decision in this case and in Sellersburg Stone Co., 5 FMSHRC 287, 293-3 (1983). Each Respondent shall have 10 days to reply to the Secretary's proposed penalties and to recommend counter-proposals with the reasons therefor consistent with the above decisions.

William Fauver
Administrative Law Judge

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