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MSHA V. PYRO MINING
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FMSHRC-WDC
February 13, 1986

SECRETARY OF LABOR,
MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA)

v. Docket No. KENT 83-212

PYRO MINING COMPANY

BEFORE: Backley, Doyle, Lastowka and Nelson, Commissioners

ORDER

BY THE COMMISSION:

On January 30, 1986, the United States Court of Appeals for the Sixth Circuit issued a per curiam decision in Pyro Mining Company v. FMSHRC, etc., No. 84-4022, affirming in part and reversing and remanding in part the decision of the Commission's administrative law judge in Pyro Mining Company, 6 FMSHRC 2488 (October 1984)(Docket No. KENT 83-212)(ALJ). (The judge's decision became a final decision of the Commission through operation of the Mine Act, 30 U.S.C. § 823(d)(1).)

In accordance with the Court's remand order to the Commission, this matter is remanded to the administrative law judge originally assigned for further appropriate proceedings consistent with the Court's opinion.

Richard V. Backley, Commissioner

Joyce A. Doyle, Commissioner

James A. Lastowka, Commissioner

L. Clair Nelson, Commissioner

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