

# FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

601 NEW JERSEY AVENUE, NW  
SUITE 9500  
WASHINGTON, DC 20001

November 1, 2006

TIME AND DATE: 2:00 p.m., Wednesday, November 15, 2006

PLACE: U.S. Department of Labor Main Auditorium, Francis Perkins Building, 200 Constitution Avenue, N.W., Washington, D.C.

STATUS: Open

MATTERS TO BE  
CONSIDERED:

The Commission will hear oral argument in the matter *Secretary of Labor v. Jim Walter Resources, Inc.*, Docket No. SE 2005-51. (Issues include whether substantial evidence, including inferences drawn from the record, supports the conclusion of the Administrative Law Judge that the operator violated 30 C.F.R. 75.1725(c) when a miner allegedly performed maintenance work on a conveyor belt without cutting off the power and blocking the belt against motion; whether the judge correctly concluded that the violation was significant and substantial; and whether the judge properly assessed the penalty against the operator.)

Any person attending this oral argument who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 C.F.R. § 2706.150(a)(3) and § 2706.160(d).

CONTACT PERSON  
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