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SOL (MSHA) v. FOY BROTHERS
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Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges

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

v.

FOY BROTHERS,
RESPONDENT

CIVIL PENALTY PROCEEDING

Docket No. PENN 85-99
A.C. No. 36-07045-03501 G6N

Barbara No. 1 Mine

DECISION APPROVING SETTLEMENT

Before: Judge Kennedy

Based on an independent evaluation and de novo review of the circumstances, the trial judge issued an order to show cause why this matter should not be settled by payment of a penalty of \$150 for Citation 2257061 and Citation 2257062.

In response the parties agreed to settle on the basis proposed. Accordingly, it is ORDERED that the operator pay a penalty of \$150 for Citation 2257061 on or before Friday, May 31, 1985; that Citation 2257062 be, and hereby is VACATED; and that subject to payment of the penalty the captioned matter be DISMISSED.

Joseph B. Kennedy
Administrative Law Judge