

COMMONWEALTH OF KENTUCKY
OCCUPATIONAL SAFETY AND HEALTH
REVIEW COMMISSION

KOSHRC #1467

SECRETARY OF LABOR
COMMONWEALTH OF KENTUCKY

COMPLAINANT

VS.

SQUARE DEAL LUMBER CO., INC.

RESPONDENT

DECISION AND ORDER

The parties in the above-referenced action shall take notice that pursuant to Section 47(3) of the Rules of Procedure of this Commission, the Recommended Order in this matter was called for review by the Review Commission on May 26, 1988.

After a careful review of the evidence of record, the Commission VACATES the Recommended Order of the Hearing Officer insofar as it upholds the proposed penalty of \$200 for the violation of 803 KAR 2:180 Section 5.

We find that a penalty assessment of \$150 is reasonable under the circumstances of this case.

All other findings and conclusions of the Hearing Officer not inconsistent with this decision and order are hereby AFFIRMED.

s/William H. Shields

William H. Shields, Chairman

s/Carl J. Ruh

Carl J. Ruh, Commissioner

Charles E. Braden

Charles E. Braden, Commissioner

DATED: June 6, 1988
DECISION NO. 1864

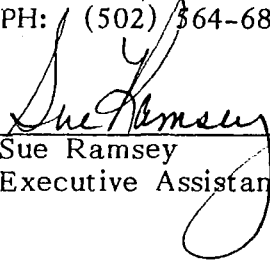
Copy of the foregoing Order has been served upon the following parties in the manner indicated:

Hon. Terry Anderson (Messenger Mail)
Assistant Counsel
Labor Cabinet
Office of General Counsel
U. S. 127 South
Frankfort, KY 40601

Mr. William D. Bucher, Gen. Mgr.(Cert. Mail #P587 663 061)
Square Deal Lumber Co.
Box 187
Park City, KY 42160

This 6th day of June, 1988.

KOSH REVIEW COMMISSION
#4 Millcreek Park
Route #3, Millville Road
Frankfort, KY 40601-9427
PH: (502) 364-6892



Sue Ramsey
Executive Assistant