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KENTUCKY OCCUPATIONAL SAFETY AND HEALTH

REVIEW COMMISSION

104 BRIDGE ST.

FRANKFORT, KENTUCKY 40601

PHONE (502) 564-6892

May 1, 1979

JULIAN M. CARROLL  
GOVERNOR

IRIS R. BARRETT  
EXECUTIVE DIRECTOR

MERLE H. STANTON  
CHAIRMAN

CHARLES B. UPTON  
MEMBER

JOHN C. ROBERTS  
MEMBER

KOSHRC #536

COMPLAINANT

COMMISSIONER OF LABOR  
COMMONWEALTH OF KENTUCKY

VS.

FORMCO OF TENNESSEE

RESPONDENT

DECISION AND ORDER OF  
REVIEW COMMISSION

Before STANTON, Chairman, UPTON and ROBERTS, Commissioners.

PER CURIAM:

A Recommended Order of Hearing Officer John T. Fowler, Sr., issued under date of 18 January 1979, is presently before this Commission for review of the recommended penalty reduction pursuant to a direction of review ordered by Chairman Merle H. Stanton.

Finding that the evidence establishes sufficient mitigating circumstances to justify the recommended reduction in penalty, it is accordingly hereby ORDERED by this Commission that the Hearing Officer's decision be and it is hereby AFFIRMED.

Merle H. Stanton  
Merle H. Stanton, Chairman

Charles B. Upton  
Charles B. Upton, Commissioner

John C. Roberts  
John C. Roberts, Commissioner

DATED: May 1, 1979  
Frankfort, Kentucky

DECISION NO. 710

This is to certify that a copy of this Decision and Order has been served by mailing or personal delivery on the following:

Commissioner of Labor (Messenger Service)  
Commonwealth of Kentucky  
U. S. 127 South  
Frankfort, Kentucky 40601  
Attention: Honorable Michael D. Ragland  
Executive Director for  
Occupational Safety & Health

Honorable Larry D. Hamfeldt (First Class Mail)  
Assistant General Counsel  
Department of Labor  
801 West Jefferson - 1st Floor  
Louisville, Kentucky 40202

Mr. L. D. Boone, President (Certified Mail #678417)  
FORMCO OF TENNESSEE, INC.  
Post Office Box 158  
Rossville, Georgia 30741

This 1st day of May, 1979.

  
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Iris R. Barrett  
Executive Director