

UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SECRETARY OF LABOR,

Complainant,

v.

Docket No. 98-1099

RUSSELL B. LE FROIS BUILDER, INC.,

Respondent.

ORDER

By order dated September 30, 1999 the Commission remanded the captioned case to the undersigned for further proceedings consistent with its decision.

On October 22, 1999 I issued an order directing the Secretary to file a complaint within twenty days of my order. By letter dated November 17, 1999 the Secretary has declined to file a complaint.

Accordingly, the citation issued May 14, 1998 is vacated and set aside in its entirety.

/s/

Irving Sommer
Chief Judge

DATED: 13 DEC 1999
Washington, D.C.