

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 15-15676

Agency No. 13-1713

MATSU ALABAMA, INC.,

Petitioner,

versus

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION,
U.S. DEPARTMENT OF LABOR,

Respondents.

Petition for Review of a Decision of the
Occupational Safety and Health Review Commission

(November 21, 2016)

Before TJOFLAT and HULL, Circuit Judges, and BYRON,* District Judge.

HULL, Circuit Judge:

*Honorable Paul G. Byron, United States District Judge, for the Middle District of Florida, sitting by designation.

Appellant Matsu Alabama, Inc. (“Matsu”) appeals from the final order of the Occupational Safety and Health Review Commission (the “Commission”). After an investigation, the Occupational Safety and Health Administration issued three citations against Matsu for safety standards violations. Citation 1 had six items, Citation 2 had one item, and Citation 3 had one item.

Matsu contested the citations, and the Secretary of Labor initiated an enforcement action. The Administrative Law Judge (“ALJ”) conducted a four-day trial, required extensive briefing, and issued a sixty-page Decision and Order. The ALJ affirmed all but the second item in Citation 1 and assessed penalties totaling \$103,000. The Commission denied Matsu’s petition for discretionary review, and the ALJ’s decision became a final order of the Commission on November 2, 2015. Matsu then filed a petition for review in this Court. On March 3, 2016, this Court denied Matsu’s motion for a stay pending review.

After review of the record and with the benefit of oral argument, the Court finds no reversible error in the ALJ’s findings of fact or conclusions of law. We accordingly deny Matsu’s petition for review and affirm the final order of the Commission.

AFFIRMED.