

UNITED STATES COURT OF APPEALS August 4, 2009

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

SECRETARY OF LABOR,
United States Department of Labor,

Petitioner,

v.

WYNNEWOOD REFINING
COMPANY,

Respondent.

No. 09-9504
(Petition for Enforcement)

**DECREE ENFORCING FINAL ORDERS OF THE OCCUPATIONAL
SAFETY AND HEALTH REVIEW COMMISSION**

Before **BRISCOE, BALDOCK**, and **HOLMES**, Circuit Judges.

This matter is before the court on the application of the Secretary of Labor (Secretary) for summary entry of judgment against Wynnewood Refining Company (Wynnewood), enforcing three final orders of the Occupational Safety and Health Review Commission in OSHRC Nos. 08-0549, 08-0594, and 08-0677. The final orders are incorporated in three settlement agreements between the Secretary and Wynnewood, each dated September 15, 2008. We have reviewed the Secretary's petition, Wynnewood's answer, and the Secretary's reply. The

pleadings and record establish that the Secretary is entitled to summary enforcement of the final orders.

WHEREFORE, pursuant to Section 11(b) of the Occupational Safety and Health Act of 1970, 29 U.S.C. § 660(b), it is hereby:

ORDERED, ADJUDGED, AND DECREED that the Commission's three final orders are enforced and that Wynnewood shall comply with those orders by:

1. Complying with all abatement measures set forth in the citations for inspections nos. 310998109, 311001226, and 311001234, as amended by the settlement agreements dated September 15, 2008; and

2. Complying with all the terms of the settlement agreements dated September 15, 2008.

Entered

for the Court,



ELISABETH A. SHUMAKER, Clerk