



Issue Date: 16 July 2008

CASE NO: 2008-ERA-5

In the Matter of:

MICHAEL W. LAMBERT
Complainant

v.

ENVIRONMENTAL RESTORATION GROUP, INC.,
MALCOLM PIRNIE, INC.,
MOLYCORP, INC.,
SHAW ENVIRONMENTAL & INFRASTRUCTURE, INC.
Respondents

**ORDER APPROVING SETTLEMENT AGREEMENT AND DISMISSING
COMPLAINT WITH PREJUDICE**

This proceeding arises from a complaint filed by Michael W. Lambert against Environmental Restoration Group, Inc., Malcolm Pirnie, Inc., Molycorp, Inc. and Shaw Environmental & Infrastructure, Inc. under the Energy Reorganization Act of 1974 as amended, 42 U.S.C. § 5851, and the regulations promulgated thereunder at 29 C.F.R. Part 24. On July 15, 2008, Michael W. Lambert, with the consent of Environmental Restoration Group, Inc., Malcolm Pirnie, Inc., and Molycorp, Inc filed an Amended Request for Withdrawal and Dismissal and to Vacate Findings. The Amended Request included a Settlement Agreement appended thereto. Pursuant to the requirements of the Act and the implementing regulations, I have carefully reviewed the terms of the Settlement Agreement, and I have determined that it constitutes a fair, adequate and reasonable settlement of the complaint. *Hoffman v. Fuel Economy Contracting, 1987-ERA-33 (Sec'y Aug. 4, 1989).*

ACCORDINGLY, it is hereby ORDERED that:

1. The Settlement Agreement is APPROVED;
2. Complainant's Amended Request for Withdrawal of this matter and Dismissal with prejudice is granted; and

3. The joint request of Complainant and Environmental Restoration Group, Inc., Malcolm Pirnie, Inc., and Molycorp, Inc to Vacate Findings of Department of Labor's February 1, 2008 Order is granted.

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THOMAS M. BURKE
Administrative Law Judge